

***Leventry, Haschak, & Rodkey, LLC***

Attorneys At Law

1397 Eisenhower Boulevard  
Richland Square III, Suite 202  
Johnstown, PA 15904

Ph: 814-266-1799

Fax: 814-266-5108

National Indoor Football League  
600 Loire Avenue  
Lafayette, LA  
70507

August 31, 2003

**Attention:** Carolyn Shiver

File #: 01-214-01

Inv #: 2903

**RE:** Invoice/Retainer

DATE	DESCRIPTION	HOURS	AMOUNT	LAWYER
Jun-05-03	Review file with regard to responding to counterclaim	0.50	75.00	TCL
Jun-06-03	Review Trial Management Schedule and telephone conference with Attorney Michael Seymour from the insurance company Re: Trial Management Schedule and preliminary preparation of same	0.60	90.00	TCL
	Review scheduling order for trial management conference	0.20	30.00	TCL
	Review Dan D'Alio deposition; review termination correspondence; review service agreement; review proposal; review RPC payroll records; review various correspondences between RPC and NIFL; review the Ohio Bureau of Worker's Comp appeal's file; and review the Ohio Bureau of Worker's Comp doc's in prep for response to the counterclaim	4.50	675.00	TCL
	Prep time on a response to counterclaim	0.50	75.00	TCL
Jun-09-03	Preparation time on Answer to Affirmative Defenses, including Counterclaim	0.50	75.00	TCL
	Preparation time on Answer to Counterclaim	3.00	450.00	TCL

Jun-10-03	Prep time on a final draft of the Reply to Counterclaim	0.70	105.00	TCL
	Edit reply to Counterclaim	0.60	90.00	TCL
	File reply to Counterclaim in the Federal Court	0.30	45.00	TCL
Jun-11-03	Letter to Carolyn Shiver Re: status report for July 11, 2003	0.50	75.00	TCL
Jun-12-03	Preparation time on correspondence to Carolyn Shiver	0.20	30.00	TCL
Jun-16-03	Prep time for the pre-trial conference	0.40	60.00	TCL
Jun-18-03	Attend Case Management Conference in Pittsburgh Federal Court for Judge McVerry	4.30	645.00	TCL
	Correspondence with Carolyn Shiver Re: Case Management and her deposition	0.20	30.00	TCL
Jun-19-03	Phone conference with Open MRI Re: the status of case	0.20	30.00	TCL
Jun-20-03	Phone conference with Montana State Worker's Compensation Fund Re: the unpaid \$6,000.00 owed to them	0.40	60.00	TCL
Jun-23-03	Prep time on Praeipce to Federal Court to opt out of arbitration	0.30	45.00	TCL
Jun-24-03	Schedule Shiver Deposition and prep time of notice of deposition	0.50	75.00	TCL
Jul-09-03	Prep time on letter to Attorney Guerro Re: Kareem Vance's judgment	0.60	90.00	TCL
Jul-15-03	Review case management order and preparation time on disclosure statement pursuant to federal rule of civil procecdure 26(a)(1)	0.50	75.00	TCL
	Phone conference with Becky at Great Plains Radiology regarding status of case	0.30	45.00	TCL
	Preparation time on letter to Great Plains Radiology regarding status of case	0.30	45.00	TCL
Jul-16-03	Phone conference with CJ Hill with Christus	0.40	60.00	TCL

Health regarding Christopher Lazard's unpaid medical bills.

Phone conference with Open MRI in Ocean Springs, Mississippi regarding unpaid medical bills. 0.20 30.00 TCL

Jul-17-03 Preparation time on letter to Santco regarding unpaid claims for several NIFL players. 0.30 45.00 TCL

Jul-29-03 Preparation of correspondence to Carolyn Shiver Re: deposition and settlement 0.40 60.00 TCL

Prepare for and attend deposition in Pittsburgh at Attorney Seymour's office Re: Worker's Compensation Claim, including pre Deposition conference with Carolyn Shiver to prepare for said deposition and Post meeting conference with attorneys relative to legal issues and settlement- Actual Meeting Time- 5 Hours/Travel Time- 3 Hours @ 1/2 time 6.50 975.00 TCL

Jul-31-03 Phone conference with Greg Albright, former player, regarding the status of case. 0.30 45.00 TCL

Totals 28.20 \$4,230.00

DISBURSEMENTS

Jun-18-03 Parking 8.00  
150 miles @ .32 cents per mile 48.00  
Jul-29-03 150 miles @ .32 cents per mile 48.00  
Parking 9.00

Totals \$113.00

Total Fee & Disbursements \$4,343.00

Previous Balance 436.75

Balance Now Due \$4,779.75

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National Indoor Football League  
600 Loire Avenue  
Lafayette, LA  
70507

October 27, 2003

**Attention:** Carolyn Shiver

File #: 01-214-01

Inv #: 3235

**RE:** Invoice/Retainer

DATE	DESCRIPTION	HOURS	AMOUNT	LAWYER
Aug-05-03	Preparation time on letter to Ann Shannon, of the Ohio BWC, regarding the depositions of Marty Herf and Rex Blateri.	0.40	60.00	TCL
Sep-02-03	Phone conference with Southern Medical Business Services (SMBS), bill collection agency for Springhill Memorial Hospital in Mobile, Alabama, regarding unpaid medical bills for Dominicke Haston; preparation of correspondence along with copies of pleadings to SMBS.	0.70	105.00	TCL
Sep-08-03	Phone conference with Mike Travis, Litigation Director, Ohio Bureau of Workers Comp., regarding depositions of Marty Herf and Rex Blateri.	0.30	45.00	TCL
Sep-10-03	Phone conference with Greg Albright regarding status of case.	0.20	30.00	TCL
Sep-12-03	Phone conference with Good Samaritan Hospital regarding former player, Greg Albright's, unpaid medical bills. Preparation of correspondence to same.	0.30	45.00	TCL
Sep-16-03	Phone conference with Mike Travis from the Ohio BWC regarding coordinating depositions in Columbus, Ohio.	0.20	30.00	TCL
Sep-17-03	Phone conference with Jamie, from Alabama	0.40	60.00	TCL

	Sports Medicine in Mobile, Alabama, regarding unpaid medical bills. Preparation of correspondence regarding same.			
Sep-18-03	Phone conference with Sheila from Open MRI in Mobile, Alabama regarding the potential for settlement in the NIFL case.	0.20	30.00	TCL
Sep-23-03	Phone conference - two phone conferences with Mike Travis regarding the suitability of October 10 or 6, 2003 for depositions.	0.20	30.00	TCL
Sep-25-03	Phone conference with Alabama Orthopedic Services regarding unpaid bills.	0.30	45.00	TCL
Sep-30-03	Preparation time on deposition notices and cover letter to Marty Herf, Rex Blateri, Attorney Caputo and Attorney Seymour.	0.50	75.00	TCL
	Totals	3.70	\$555.00	

DISBURSEMENTS

Oct-14-03	UPS Overnight Letter	15.00	
	Totals	\$15.00	
	<b>Total Fee &amp; Disbursements</b>		<b>\$570.00</b>
	Retainers Applied		570.00
	Previous Balance		4,779.75
	Previous Payments		4,779.75
	<b>Balance Now Due</b>		<b>\$0.00</b>

PAYMENT DETAILS

Oct-24-03	Trust Disbursement 9/30/03	5,334.75
Oct-27-03	Trust Disbursement	15.00
	<b>Total Payments</b>	<b>\$5,349.75</b>

**TRUST STATEMENT**

	<b>Disbursements</b>	<b>Receipts</b>
Sep-24-03	Received From: NIFL Check # 1505 Retainer	6,000.00
Oct-07-03	Paid To: David Klementik Charter flight to Columbus OH	500.00
Oct-24-03	Paid To: Leventry & Haschak, LLC Trust Disbursement 9/30/03	5,334.75
Oct-27-03	Paid To: Leventry & Haschak, LLC Trust Disbursement	15.00
	<hr/>	<hr/>
	Total Trust	\$5,849.75
		\$6,000.00
	<b>Trust Balance</b>	<b>\$150.25</b>

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National Indoor Football League  
600 Loire Avenue  
Lafayette, LA  
70507

November 3, 2003

**Attention:** Carolyn Shiver

File #: 01-214-01

Inv #: 3254

**RE:** Invoice/Retainer

<b>DATE</b>	<b>DESCRIPTION</b>	<b>HOURS</b>	<b>AMOUNT</b>	<b>LAWYER</b>
Nov-03-03	Anderson Reporting Service		884.73	TCL
	Totals	0.00	<hr/> \$884.73	
	<b>Total Fee &amp; Disbursements</b>			<hr/> <b>\$884.73</b>
	<b>Balance Now Due</b>			<hr/> <b>\$884.73</b>

TRUST STATEMENT

	Disbursements	Receipts
Trust Balance Forward		150.25
Total Trust	<hr/> \$0.00	<hr/> \$150.25
Trust Balance		<b>\$150.25</b>



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National Indoor Football League  
600 Loire Avenue  
Lafayette, LA  
70507

December 30, 2003

**Attention:** Carolyn Shiver

File #: 01-214-01

Inv #: 3341

**RE:** Invoice/Retainer

DATE	DESCRIPTION	HOURS	AMOUNT	LAWYER
Oct-01-03	Reviewed letter from Attorney Seymour regarding Production of Documents and Preparation time on same	1.20	180.00	TCL
Oct-03-03	Preparation time for the 10-6-03 depositions of Marty Herf and Rex Blateri; review documents and preparation of questions.	3.00	375.00	RJS
Oct-06-03	Finalization of preparation and attendance Attend depositions in Columbus, Ohio for Marty Herf and Rex Blateri from the Ohio Bureau of Workers' Compensation	6.30	945.00	TCL
	Phone conference with Anderson Court Reporting regarding providing a reporter for the deposition of Marty Herf and Rex Blateri.	0.20	25.00	RJS
Oct-08-03	Preparation of time on correspondence to Attorney Nelson regarding Brian Mills case.	0.20	30.00	TCL
Oct-13-03	Review time on doing Motion to extend the Case Management Agreement.	0.30	45.00	TCL
Oct-17-03	Meeting with Atty Leventry Re: medical bills outline	0.25	33.75	TLG
	Preparation time on medical bills detail for Discovery	2.00	270.00	TLG

Oct-20-03	Preparation time on medical bills detail for Discovery	2.60	351.00	TLG
Oct-21-03	Preparation time on medical bills detail for Discovery	3.10	418.50	TLG
Oct-27-03	Preparation of correspondence to Michael Seymour and Bernard Caputo, counsel for RPC and Dan D'Alio regarding settlement.	1.20	180.00	TCL
Nov-03-03	Finalization of letter regarding settlement to Michael Seymour and preparation of correspondence to Carolyn Shiver regarding same.	0.30	45.00	TCL
Nov-05-03	Phone conference with Mobile Orthopedics regarding the status of the case.	0.30	45.00	TL
	Phone conference with Carolyn Shiver regarding the offer letter RPC.	0.40	50.00	RJS
Nov-07-03	Preparation time on letter to the Attorneys for Brian Mills outlining our position with respect to the NIFL's liability.	0.50	75.00	TL
Nov-08-03	Preparation of time on correspondence to Attorney Nelson regarding Brian Mills case.	0.20	30.00	TCL
Nov-20-03	Phone conference with Open MRI regarding the unpaid medical bills for the Mississippi Firedogs.	0.40	60.00	TL
	Totals	22.45	\$3,158.25	

DISBURSEMENTS

Oct-06-03	Cab fare to and from airport	40.00
	Travel to and from Columbus, Ohio via private charter (I chose to travel to Columbus by private charter and share the cost of same because my partner was going to Chicago, IL on the same day. If I had been required to drive to Columbus, it would have taken 10 hours of travel time at half my hourly rate which would have been approximately \$750.00 plus hotel - \$75.00 and mileage - \$150.00. with a total of \$975.00)	600.00
	Totals	\$640.00

Total Fee & Disbursements	<hr/>
	\$3,798.25
Trust Transferred at Billing	150.25
Previous Balance	884.73
	<hr/>
Balance Now Due	\$4,532.73

PAYMENT DETAILS

Dec-30-03	Payment for invoice: 3341	150.25
		<hr/>
	Total Payments	\$150.25

TRUST STATEMENT

	Disbursements	Receipts
Trust Balance Forward		150.25
Dec-30-03      Paid To: LEVENTRY, HASCHAK, RODKEY & Payment for invoice: 3341	150.25	
Total Trust	<div></div> \$150.25	<div></div> \$150.25
Trust Balance		\$0.00

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National Indoor Football League  
600 Loire Avenue  
Lafayette, LA  
70507

April 16, 2004

**Attention:** Carolyn Shiver

File #: 01-214-01

Inv #: 5103

**RE:** Invoice/Retainer

DATE	DESCRIPTION	HOURS	AMOUNT	LAWYER
Dec-16-03	Telephone call w/Michael Seymour regarding settlement and preparation time on facsimile correspondence regarding settlement and Demand Letter.	0.30	45.00	TCL
Dec-18-03	Phone conference with Alabama Orthopedics regarding the status of the NIFL case.	0.20	30.00	TL
Dec-22-03	Correspondence with Attorney Bernard Caputo regarding depositions.	0.20	30.00	TCL
	Correspondence with Attorney Bernard Caputo regarding Alphonsus Olieh case.	0.20	30.00	TCL
	Phone conference with Greg Albright regarding the status of the case.	0.20	25.00	RJS
Dec-23-03	Assemble file documents of NIFL for preparation of admissions.	0.30	37.50	JG
Dec-29-03	Preparation time on Request for Admissions directed to RPC Employer Services.	0.90	135.00	TL
	Research on Federal requirements for a Request for Admissions including substantive law and evidentiary issues.	0.60	75.00	JG
Dec-30-03	Preparation time on case update to Carolyn Shiver dated 12-30-03.	0.60	90.00	TL

	Review file documents and exhibits; begin Request for Admissions.	0.80	100.00	JG
Dec-31-03	Preparation time on Request for Admissions for pending litigation in NIFL case	1.00	125.00	JG
Jan-02-04	Continued preparation on Request for Admissions	0.80	100.00	JG
Jan-05-04	Preparation of Request for Admissions.	0.50	75.00	TCL
	Edit Request for Admissions.	0.30	45.00	TL
	Continued preparation of Request for Admissions; assemble of all documents and exhibits for attachment.	0.80	100.00	JG
Jan-06-04	Preparation time on Request for Admissions	0.30	45.00	TCL
	Preparation of exhibits for the Request for Admissions.	0.40	60.00	TL
	Complete preparation of finalized Request for Admissions and labeling of exhibits	0.30	37.50	JG
Jan-07-04	Preparation time on Exhibit Packet for the Request for Admissions directed to Attorneys Seymour and Caputo.	0.30	45.00	TL
	Final preparation of Request for Admissions and accompanying exhibits.	0.20	25.00	JG
Jan-08-04	Preparation for and attend deposition of Paul Litwalk w/Attorney Michael Seymour and Attorney Bernard Caputo.	3.40	510.00	TCL
	Prepare and organize materials and exhibits for the deposition of Paul Litwalk.	1.50	225.00	TL
	Research re: Federal court rules regarding the filing of a Request for Admissions with the court for its records.	0.20	30.00	TL
	Searched File documents for JDogs 2001 schedule for deposition	0.20	25.00	JG
Jan-12-04	Correspondence with Team Owners; preparation of damage list and general issues regarding Trial.	0.20	30.00	TCL

Jan-13-04	Review file documents and draft Motion for a Discovery Continuance	0.30	37.50	JG
	Phone conference with Shawn Kibodeaux regarding clarification of the Request for Production of Documents issued by Attorney Seymour to the NIFL.	0.30	37.50	RJS
Jan-14-04	Complete Motion for a Discovery Continuance; phone call to Defendants' attorneys regarding same; preparation of facsimile to Defendants' attorneys for review and signature.	0.60	75.00	JG
Jan-23-04	Preparation time on letter to Attorney Guerriero regarding Kareem Vance of the Bayou Beast.	0.40	60.00	TL
Jan-29-04	Phone conference with Alabama Orthopedic regarding the status of the case.	0.20	30.00	TL
	Phone conference with Open MRI regarding the status of the case.	0.30	45.00	TL
Feb-11-04	Review documents sent to Attorney Seymour for the Request for Production of Documents.	2.00	250.00	RJS
Feb-12-04	Complete review and preparation of documents relative to Attorney Seymour's request for production of documents.	2.80	350.00	RJS
Feb-13-04	Review time on documentation prepared for Production of Documents and correspondence w/Michael Seymour regarding said production.	0.50	75.00	TCL
	Preparation time on letter to Sporthopedics in Oregon relative to John Avalos, who is a former NIFL player.	0.30	45.00	TL
	Final review of documents sent to Attorney Seymour for the Request for production of documents; review copies to ensure LHRK has copies of all documents mailed.	1.00	125.00	RJS
Feb-18-04	Review documents sent by the Ohio Bureau of Workers' Compensation; preparation time on letter to Attorney Seymour regarding same.	1.30	195.00	TL
Feb-19-04	Phone conference with Sunbelt Rehabilitation regarding John Seymour, a former NIFL	0.50	75.00	TL

	player; preparation of letter to Sunbelt Rehabilitation regarding same.			
Feb-20-04	Preparation time on letter to Santco regarding the recent developments in the case.	0.30	45.00	TL
Feb-27-04	Preparation time on pretrial narrative.	2.00	250.00	RJS
Mar-01-04	Complete witness list; pretrial narrative and exhibits list.	1.00	150.00	TL
	Phone conference with League offices regarding the requirement of a list of representatives from each team who would testify relative to business records.	0.20	25.00	RJS
Mar-02-04	Prepare list of witnesses for the Pretrial Statement.	0.30	37.50	RJS
Mar-03-04	Preparation of Pre-trial Narrative.	0.40	60.00	TCL
	Final review of Pretrial Narrative and placement of same in final form.	0.40	60.00	TL
	Travel time to the Federal Courthouse and filing of Pretrial Narrative.	0.50	62.50	RJS
Mar-08-04	Review RPC's Admissions and deposition transcripts to determine if summary judgment is an option.	0.50	75.00	TL
Mar-10-04	Preparation time on letter to Attorney Jackson regarding his client, John McCorvey's, suit against the NIFL and Carolyn Shiver.	0.40	60.00	TL
	Phone conference with Carolyn Shiver regarding the potential default judgment to be entered in the John McCorvey case.	0.40	50.00	RJS
Mar-15-04	Preparation time on letter to Attorney Bennett regarding the status of the NIFL suit and request to him to drop the NIFL as a Plaintiff in his suit on behalf of Alphonsus Olieh.	0.30	45.00	TL
	Preparation time on letter to Attorney Beard regarding his client's (Mid-State Orthopaedic in Alexandria Louisiana) claim against the NIFL for its unpaid bill.	0.30	45.00	TL
Mar-16-04	Preparation time on correspondence to	0.30	45.00	TL



the Montana State Fund regarding an update to the status of the NIFL case.

Preparation time on correspondence to Attorney Burrell regarding Emmanuel Bentley's unpaid workers' compensation claims.	0.30	45.00	TL
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Mar-17-04 Phone conference with Attorney Clinton in Mobile regarding the status of the NIFL case.	0.20	30.00	TL
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Preparation time on letter to Attorney Clinton regarding specific details of the NIFL v. RPC suit and regarding the statute of limitations running on his client's claim.	0.30	37.50	RJS
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Mar-26-04 Preparation time on letter to Carolyn Shiver regarding the John McCorvey default judgment.	0.30	45.00	TL
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Mar-30-04 Preparation time on correspondence with Steve Jacobs of Stokes and Clinton of Mobile, Alabama regarding filing a lawsuit against Dominick Haston, who is a former player for the Mobile Seagulls.	0.30	45.00	TL
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Phone conference with Dominick Haston, former Mobile Seagulls player, regarding a potential suit against him for unpaid medical bills.	0.40	50.00	RJS
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Mar-31-04 Phone conference with Sheila from Open MRI in Mississippi regarding the status of the NIFL case.	0.30	37.50	RJS
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Totals	34.60	\$4,775.00	
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DISBURSEMENTS

Feb-13-04 UPS Overnight Letter	50.00
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Totals	\$50.00
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Total Fee & Disbursements	\$4,825.00
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Previous Balance	4,532.73
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Balance Now Due	\$9,357.73
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**TRUST STATEMENT**

	<b>Disbursements</b>	<b>Receipts</b>
Trust Balance Forward		150.25
Dec-30-03 Paid To: LEVENTRY, HASCHAK, RODKEY & Payment for invoice: 3341	150.25	
Total Trust	<hr/> \$150.25	<hr/> \$150.25
<b>Trust Balance</b>		<b>\$0.00</b>

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National Indoor Football League  
600 Loire Avenue  
Lafayette, LA  
70507

June 17, 2004

**Attention:** Carolyn Shiver

File #: 01-214-01

Inv #: 5497

**RE:** Invoice/Retainer

DATE	DESCRIPTION	HOURS	AMOUNT	LAWYER
Apr-05-04	Review the expert report prepared by Brian Brittain relative to Ohio coverage and review deposition testimony of Rex Blateri and Marty Herf relative to coverage issues.	1.50	187.50	RJS
Apr-06-04	Preparation time on letter to Rex Blateri, Marty Herf and Michael Travis explaining Brian Brittain's expert opinion and requesting a written commentary to respond to Mr. Brittain's analysis.	1.20	150.00	RJS
Apr-07-04	Phone conference with Alabama Orthopedic regarding the status of the case and the upcoming pretrial conference.	0.30	37.50	RJS
Apr-08-04	Preparation of correspondence to Rex Ballarti and Marty Herf regarding opinion to contrast Mr. Brittain's expert opinion.	0.30	45.00	TCL
Apr-15-04	Phone conference with Maureen Hiltz regarding the unpaid medical claims for John Schmidt.	0.30	37.50	RJS
	Preparation time on letter to Marueen Hiltz regarding John Schmidt's unpaid medical bills to HVHS.	0.20	25.00	RJS
Apr-16-04	Research regarding the Third Circuit's interpretation of the needed elements support a claim under RICO (1926(a)); research	3.00	450.00	TL

regarding the standard for summary judgment and standard by which a court will review a plaintiff's pleading under 1926(a).

Apr-18-04	Preparation time on Counterstatement of the Facts and preparation time on the Standard of Review sections of the Brief in Opposition to Motion for Summary Judgment.	1.80	270.00	TL
Apr-19-04	Complete portion of the Brief In Opposition to Motion for Summary Judgment relative to the pleading requirements for 1962(a).	2.00	250.00	RJS
	Research requirements to survive Summary Judgment relative to the proof of the intent to defraud.	1.00	125.00	RJS
Apr-20-04	Review Dan D'Alio's deposition relative to his intent to defraud the NIFL.	1.00	125.00	RJS
	Review Carolyn Shiver's deposition relative to her knowledge of the mid-March 2001 meeting RPC had with the Ohio BWC; preparation time portion of Brief in Opposition to Summary Judgment relative to the circumstantial evidence supporting RPC's intent to defraud.	2.00	250.00	RJS
	Research case law outlining the requirements to prove scienter under RICO including the scienter for predicate acts such as mail fraud and wire.	1.50	187.50	RJS
Apr-21-04	Research the requirements to prove a valid contracts exists despite the subsequent repudiation by one party.	1.50	187.50	RJS
	Research Third Circuit case law relative to the issue of RPC requirement to first show it could perform its obligations under the contract before it can seek to avoid damages for its own breach of the contract.	1.70	212.50	RJS
	Complete portion of Brief in Opposition to Summary Judgment relative to the existence of a valid contract between the parties.	1.80	225.00	RJS
Apr-22-04	Research Pennsylvania common law fraud as applied in Third Circuit; research a plaintiff's proving fraud by showing the defendant's reckless disregard of material facts; research	2.50	312.50	RJS

case law involving fraud based on statements concerning an act by the defendant in the future.

Complete portion of the Brief in Opposition to Summary Judgment relative to the NIFL's establishment of a valid fraud claim based upon PA Common Law as applied in the Third Circuit.	2.50	312.50	RJS
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Apr-23-04	Complete the Conclusion, Order and Certification of Service relative to the Brief in Opposition to Summary Judgment; edit brief and review the accuray of all facts alleged in same.	1.50	187.50	RJS
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Insert references to required Exhibits in the Brief and preparation of Exhibit packet.	1.20	150.00	RJS
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Apr-26-04	Re: Additional Preparation Time on Brief in Opposition of Motion for Summary Judgment.	0.40	60.00	TCL
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Preparation of Brief in Oppostion of Motion for Summary Judgment.	1.30	195.00	TCL
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Editing of the citations, statement of facts and legal argument for the Brief in Opposition to Summary Judgment.	2.00	250.00	RJS
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Apr-27-04	Final editing of the Brief in Opposition to Summary Judgment; preparation time on letter to Judge McVerry regarding same.	0.50	62.50	RJS
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May-04-04	Preparation time on Reply to Defendants' Statement of Material Facts.	0.50	62.50	RJS
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May-05-04	Preparation of Defendant's Reply to Defendant's Statements and material facts.	0.60	90.00	TCL
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Complete preparation of Reply to Defendants' Statement of Material Facts; editing of same.	2.80	350.00	RJS
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Begin preparation of the NIFL's Response to the Defendant's Motion for Summary Judgment.	2.50	312.50	RJS
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May-06-04	Complete the NIFL's Reply to the Defendants' Preliminary Objections; editing of same.	4.00	500.00	RJS
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May-07-04	Review time on Plaintiff's Reply to	1.00	150.00	TCL
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Defendant's Motion for Summary Judgment;  
chronological response.

Editing of both the NIFL's Reply to Defendants' Preliminary Objections and the NIFL's Reply to Defendants' Statement of Material Facts.	0.80	100.00	RJS
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May-11-04	Phone conference with Judy Jaminet of Physical Therapy Specialists in Sioux City, Iowa regarding unpaid medical bills and the status of the case.	0.30	37.50	RJS
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May-12-04	Preparation time on correspondence to Physical Therapy Associates in Sioux City regarding their unpaid bills.	0.30	37.50	RJS
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May-14-04	Preparation of Certificate of Compliance.	0.20	30.00	TCL
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Preparation time on Certificate of Compliance.	0.30	37.50	RJS
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Totals	46.30	\$6,002.50	
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DISBURSEMENTS

Apr-27-04	UPS Overnight Letter	15.00
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Totals	\$15.00
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Total Fee & Disbursements	\$6,017.50
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Previous Balance	9,357.73
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Balance Now Due	\$15,375.23
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National Indoor Football League  
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Lafayette, LA  
70507

August 18, 2004

**Attention:** Carolyn Shiver

File #: 01-214-01

Inv #: 5803

**RE:** Invoice/Retainer

DATE	DESCRIPTION	HOURS	AMOUNT	LAWYER
Jun-09-04	Phone conference with Open MRI in Mississippi regarding the Defendant's Motion for Summary Judgment and the not-yet-rescheduled Pre-Trial Conference.	0.30	45.00	TL
Jun-10-04	Telephone call w/Carolyn regarding updates of case, including discussion regarding settlements and troublesome suits.	0.30	45.00	TCL
Jun-14-04	Phone conference with Kelly from Suncoast Rehabilitation in Mississippi regarding the postponed pretrial conference.	0.20	30.00	TL
Jun-18-04	Phone conference with Greg Albright regarding the rescheduled Pretrial Conference.	0.20	30.00	TL
Jun-29-04	Phone conference with Brian Mills regarding, a former NIFL player, regarding the status of the case.	0.20	25.00	RJS
Jul-21-04	Phone conference with Sheila from Open MRI in Mississippi regarding the status of the court's consideration of RPC's Motion for Summary Judgment.	0.20	25.00	RJS
Jul-27-04	Phone conference with Alabama Orthopedics regarding the status of the case.	0.20	25.00	RJS
	Totals	1.60	\$225.00	

Total Fee & Disbursements	<div></div> <div>\$225.00</div>
Previous Balance	15,375.23
Balance Now Due	<div></div> <div>\$15,600.23</div>



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October 19, 2004

**Attention:** Carolyn Shiver

File #: 01-214-01

Inv #: 7199

**RE:** Invoice/Retainer

DATE	DESCRIPTION	HOURS	AMOUNT	LAWYER
Aug-18-04	Phone conference with Physical Therapy Specialists regarding the status of the NIFL case.	0.20	25.00	RJS
	Totals	0.20	<u>25.00</u>	
	<b>Total Fee &amp; Disbursements</b>			<u><b>\$25.00</b></u>
	Previous Balance			15,600.23
	Previous Payments			15,600.23
	<b>Balance Now Due</b>			<u><b>\$25.00</b></u>

**PAYMENT DETAILS**

Oct-12-04	Check # 1043		15,695.24
	<b>Total Payments</b>		<u><b>\$15,695.24</b></u>

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December 15, 2004

**Attention:** Carolyn Shiver

File #: 01-214-01

Inv #: 7355

**RE:** Invoice/Retainer

<b>DATE</b>	<b>DESCRIPTION</b>	<b>HOURS</b>	<b>AMOUNT</b>	<b>LAWYER</b>
Oct-05-04	Phone conference with Sheila from Open MRI regarding the status of the case.	0.20	25.00	RJS
	Phone conference with Cindy of Alabama Orthopedic regarding the status of the case.	0.20	25.00	RJS
Oct-06-04	Phone conference with Kelly of Sunbelt Rehabilitation regarding the status of the Motion for Summary Judgment.	0.20	25.00	RJS
Oct-11-04	Phone conference with Attorney from Larimee Wyoming regarding the potential suit by Gem City.	0.30	37.50	RJS
	Totals	0.90	\$112.50	
	<b>Total Fee &amp; Disbursements</b>			<b>\$112.50</b>
	Previous Balance			25.00
	<b>Balance Now Due</b>			<b>\$137.50</b>

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February 11, 2005

**Attention:** Carolyn Shiver

File #: 01-214-01

Inv #: 7590

**RE:** Invoice/Retainer

DATE	DESCRIPTION	HOURS	AMOUNT	LAWYER
Dec-06-04	Phone conference with Carolyn Shiver regarding the status of the case.	0.40	50.00	RJS
Jan-05-05	Phone conference with Brian Mills regarding the status of the case.	0.30	45.00	TL
	Totals	0.70	<hr/> \$95.00	
	<b>Total Fee &amp; Disbursements</b>			<hr/> <b>\$95.00</b>
	Previous Balance			137.50
	<b>Balance Now Due</b>			<hr/> <b>\$232.50</b>

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April 12, 2005

**Attention:** Carolyn Shiver

File #: 01-214-01

Inv #: 7894

**RE:** Invoice/Retainer

<b>DATE</b>	<b>DESCRIPTION</b>	<b>HOURS</b>	<b>AMOUNT</b>	<b>LAWYER</b>
Feb-03-05	Phone conference with Greg Albright regarding his damages in the NIFL case.	0.20	31.00	TCL
Feb-15-05	Phone conference with Cindy from Alabama Orthopedics regarding the documentation for their claim.	0.20	27.00	RJS
	Totals	0.40	\$58.00	
	<b>Total Fee &amp; Disbursements</b>			<b>\$58.00</b>
	Previous Balance			232.50
	<b>Balance Now Due</b>			<b>\$290.50</b>

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June 8, 2005

**Attention:** Carolyn Shiver

File #: 01-214-01

Inv #: 8147

**RE:** Invoice/Retainer

DATE	DESCRIPTION	HOURS	AMOUNT	LAWYER
Apr-13-05	Phone conference with Open MRI in Mississippi regarding the status of the case.	0.20	27.00	RJS
Apr-19-05	Phone conference with Carolyn Shiver regarding the status of the case.	0.90	121.50	RJS
Apr-21-05	Preparation time on correspondence with Brian Mills regarding the status of the case.	0.20	27.00	RJS
	Totals	1.30	\$175.50	
	<b>Total Fee &amp; Disbursements</b>			<b>\$175.50</b>
	Previous Balance			290.50
	<b>Balance Now Due</b>			<b>\$466.00</b>

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August 16, 2005

**Attention:** Carolyn Shiver

File #: 01-214-01

Inv #: 8627

**RE:** Invoice/Retainer

DATE	DESCRIPTION	HOURS	AMOUNT	LAWYER
Jun-01-05	Review Memorandum and Order from United States District Court of Western District of PA.	0.50	77.50	TCL
	Phone conference with University Sports Medicine regarding the Kareem Vance issue and the NIFL suit against RPC.	0.20	30.00	TL
	Preparation time on correspondence with University Sports Medicine regarding the status of the case.	0.20	30.00	TL
Jun-02-05	Phone conference with Jocelyn Golden regarding a discovery request for the NIFL.	0.20	27.00	RJS
Jun-03-05	Review Court's order relative to RPC's Motion for Summary Judgment; review previous Order's in case to determine impact the Court's June 2, 2005 Order; preparation time on letter to Carolyn Shiver explaining the June 2, 2005 Order and the current disposition of the case.	1.00	135.00	RJS
Jun-07-05	Preparation time and correspondence to Carolyn Shiver Re: RPC Service Case and Court Decision	0.20	31.00	TCL
Jun-13-05	Re: review Order of Court setting Settlement Conference; c/w Carolyn Shiver and w/Judge McVerry regarding same.	0.60	93.00	TCL

Invoice #: 8627

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August 16, 2005

Jun-23-05	Phone conference with Judge Ambrose's clerk regarding scheduling a full day mediation conference.	0.30	40.50	RJS
Jun-24-05	Phone conference with Judge Ambrose's office regarding scheduling a full day mediation conference.	0.20	27.00	RJS
Jul-06-05	Review case documents and files in preparation for the settlement conference; draft letter to Judge Ambrose regarding the issues of the case and the settlement issues.	3.00	405.00	RJS
Jul-07-05	Preparation of Confidential Letter to Judge Ambrose.	0.50	77.50	TCL
Jul-11-05	Phone conference with Judge Ambrose's Chief Clerk regarding the availability of witnesses for the Pretrial Hearing.	0.20	27.00	RJS
	Letter to Carolyn Shiver regarding the Settlement Conference availability by phone.	0.30	40.50	RJS
Jul-12-05	Phone conference with Carolyn Shiver regarding the Settlement Conference.	0.70	94.50	RJS
Jul-15-05	Preparation of and attend Settlement Conference before Judge Ambrose at Federal Courthouse in Pgh.	6.00	930.00	TCL
	Research Business records exception to hearsay rule with regard to medical records	0.50	62.50	PJE
	Preparation of and attend Settlement Conference before Judge Ambrose at Federal Courthouse in Pgh.	3.00	405.00	RJS
	Phone conference with Carolyn Shiver regarding the settlement case.	0.40	54.00	RJS
Jul-18-05	Phone conference with Carolyn Shiver regarding the items needed to prove damages.	0.30	40.50	RJS
Jul-19-05	Editing of letter to Carolyn Shiver regarding the records needed to prove damages.	0.20	27.00	RJS
Jul-26-05	Review legal issues, federal statutes and case law relative to the issue of damages including RICO, the evidence required to prove damages, the measure of actual damages, and	1.00	135.00	RJS

	the applicability of Ohio workers' compensation usual and customary rates.			
Jul-27-05	Phone conference with Alabama Orthopedics regarding the status of the case and any records that have not been forwarded to the NIFL.	0.20	27.00	RJS
	Totals	19.70	\$2,816.50	

DISBURSEMENTS

Jul-14-05	West Law Research	9.22	
Jul-15-05	Mileage 150 @ 0.37	55.50	
	Parking	17.00	
	Totals	\$81.72	
	<b>Total Fee &amp; Disbursements</b>		<b>\$2,898.22</b>
	Previous Balance		466.00
	<b>Balance Now Due</b>		<b>\$3,364.22</b>



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October 18, 2005

**Attention:** Carolyn Shiver

File #: 01-214-01

Inv #: 8813

**RE:** Invoice/Retainer

DATE	DESCRIPTION	HOURS	AMOUNT	LAWYER
Aug-01-05	Legal research, regarding damages, hearsay rules of evidence, authentication of medical records for use at trial. Meeting with Atty Sedlak Re:: damages issue.	3.00	420.00	FF
Aug-25-05	Phone conference Kareem Vance regarding the status the case and the upcoming settlement conference.	0.20	27.00	RJS
Sep-10-05	Research standing issues, tolling of statute of limitations for individual players, effect of class action suit versus representative class of NIFL players, effect of tolling statute of limitations on multi jurisdictional claims, research equitable tolling doctrine and availability to individual players, research individual players cause of action against employer for failing to carry workers compensation insurance.	4.50	630.00	FF
Sep-12-05	Correspondence with Carolyn Shiver regarding Production of Document request.	0.20	31.00	TCL
	Research promissory and equitable estoppel cases, prepare memo to TCL regarding damage and evidentiary issues.	2.00	280.00	FF
	Phone conference with Brian Mills regarding his medical bills and the status of the case.	0.20	27.00	RJS

Invoice #: 8813 Page 2 October 18, 2005

Sep-21-05	Preparation of research regarding Statute of Limitations; Introduction of Medical Records and amount of damages.	0.30	46.50	TCL
	Re: internal trial planning.	0.20	31.00	TCL
	Litigation meeting with TCL	0.25	35.00	FF
Sep-22-05	Review NIFL medical records to determine records that do not exist to coincide with the spreadsheet prepared by the NIFL.	0.90	121.50	RJS
	Phone conference with Carolyn Shiver regarding the player's medical documents/records.	0.40	54.00	RJS
Sep-26-05	Preparation time on letter to Michael Seymour regarding the player's medical information.	0.20	27.00	RJS
	Totals	12.35	<u>\$1,730.00</u>	

**DISBURSEMENTS**

Sep-08-05	West Law Research	14.06	
	Totals	<u>\$14.06</u>	
	<b>Total Fee &amp; Disbursements</b>		<u><b>\$1,744.06</b></u>
	Previous Balance		3,364.22
	<b>Balance Now Due</b>		<u><b>\$5,108.28</b></u>

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 70507

December 15, 2005

**Attention:** Carolyn Shiver

File #: 01-214-01

Inv #: 9265

**RE:** Invoice/Retainer

DATE	DESCRIPTION	HOURS	AMOUNT	LAWYER
Jul-15-05	Prepare for and attend Settlement Conference before Judge Ambrose; three phone conferences with Carolyn Shiver regarding same.	7.00	945.00	RJS
Oct-05-05	Phone conference with Open MRI regarding medical records and regarding the status of the case.	0.30	42.00	RJS
Oct-17-05	Document analysis of all players records to be sent to opposing counsel	6.00	450.00	LC
Oct-18-05	Document analysis of all players records to comply with July 18, 2005 order	0.50	37.50	LC
Nov-02-05	Document analysis of all players records to comply with July 18, 2005 order	1.60	120.00	LC
Nov-03-05	Review/organization of Pleadings/Documents in respect to the NIFL in preparation for the November 28th Settlement Conference	3.40	255.00	LC
Nov-04-05	Review/organization of Pleadings/Documents in respect to the NIFL in preparation for the November 28th Settlement Conference	2.00	150.00	LC
Nov-07-05	Review/organization of NIFL pleadings/documents in preparation for November 28th settlement conference	2.00	150.00	LC

Nov-08-05	Review/organization of NIFL pleadings/documents in preparation for November 28th settlement conference	1.70	127.50	LC
Nov-09-05	Draft/ prepare records certifications for use at trial.	0.50	70.00	FF
	Research Ohio W. C. Law civil liabilities of non- complaint employer calculation of benefits.	1.00	140.00	FF
Nov-17-05	Prepare for telephone settlement conference with Judge Ambrose, Michael Seymore and Bernie Caputa.	1.20	192.00	TCL
	Prepare for phone conference with Judge Ambrose and participate in phone conference with Judge Ambrose.	0.60	84.00	RJS
Nov-18-05	Review player medical records in preparation for sending the records to the opposing counsel.	1.50	210.00	RJS
	Preparation time on correspondence with Attorney Seymour regarding the NIFL player's medical records.	0.30	42.00	RJS
	Preparation of documents for conference.	1.00	75.00	LC
Nov-28-05	Phone conference with Carolyn Shiver regarding the cases filed against the NIFL and the status of the case.	0.50	70.00	RJS
	Phone conference with Accounting Control/Open MRI regarding the settlement of the claim.	0.20	28.00	RJS
	Preparation of information for Medical Care Providers	0.80	60.00	LC
Nov-29-05	Preparation time on letters to Medical Care Providers regarding supporting documents needed for trial.	6.30	472.50	LC
Nov-30-05	Preparation time on letters to Medical Care Providers regarding supporting documents needed for trial.	5.00	375.00	LC
	Totals	43.40	\$4,095.50	

**DISBURSEMENTS**

Nov-02-05	West Law Research	120.76
Dec-05-05	770 one page letters to medical providers	77.00
	Postage	284.90
	770 Envelopes to medical providers	115.50
	Copies of supporting medical records to Attorney Seymore	26.40
Dec-12-05	UPS Overnight Letter	45.00
	Totals	<hr/> \$669.56

<b>Total Fee &amp; Disbursements</b>	<hr/> <b>\$4,765.06</b>
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Previous Balance	5,108.28
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<b>Balance Now Due</b>	<hr/> <b>\$9,873.34</b>
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February 8, 2006

**Attention:** Carolyn Shiver

File #: 01-214-01

Inv #: 9476

**RE:** Invoice/Retainer

DATE	DESCRIPTION	HOURS	AMOUNT	LAWYER
Dec-01-05	Research and review Ohio Bureau of Workers' Compensation Fee Schedule and the Billing and Reimbursement Manual relative the amounts Ohio reimburses providers under the workers' compensation system.	1.80	252.00	RJS
	Research Ohio case law and statutory law with respect to an employee's right to seek civil damages including medical bills from an employer for the employer's failure to comply with the worker's compensation act.	1.70	238.00	RJS
	Preparation time on letter containing memorandum of law to Michael Seymour and Judge Ambrose concerning the availability of damages to the NIFL for the full amount of medical bills rather than Ohio BWC's reimbursement rates.	0.90	126.00	RJS
	Preparation time of information regarding medical providers of NIFL players	2.80	210.00	LC
Dec-02-05	Preparation of correspondence to the medical providers, review correspondence from Attorney Seymour regarding medical providers information and research regarding same.	1.00	160.00	TCL
	Preparation of correspondence to Michael Seymour regarding compliance per Judge Ambrose's Order regarding medical records.	0.30	48.00	TCL

Invoice #:

9476

Page 2

February 8, 2006

	Research regarding the claims process and forms required for submitting a Ohio Worker's Compensation Claim.	2.00	280.00	RJS
	Research DOL Federal Claim Forms relative to their compliance with the July 18, 2005 Order.	1.90	266.00	RJS
	Revise December 5, 2005 letter in response to the Defendants' December 1, 2005 letter.	0.30	42.00	RJS
	Preparation time of information regarding medical providers of NIFL players	3.70	277.50	LC
Dec-05-05	Review and prepare correspondence to be sent to each medical provider.	0.50	70.00	RJS
	Review and preparation time on letters to the providers to obtain remaining medical records in anticipation of trial.	1.00	140.00	RJS
	Preparation time of correspondences with medical providers for December 20th Conference	7.50	562.50	LC
Dec-06-05	Preparation time of correspondences with medical providers for December 20th Conference	7.90	592.50	LC
Dec-07-05	Preparation time on review of medical records in our possession to verify their support of the damages in the case.	0.60	84.00	RJS
	Preparation time of correspondences with medical providers for December 20th Conference	7.70	577.50	LC
Dec-08-05	Preparation time of correspondences with medical providers for December 20th Conference	5.20	390.00	LC
Dec-09-05	Phone conference with the Doctors Anesthesia Group in regard to medical records for Casey Hughes and Martin Simmons.	0.40	56.00	RJS
	Preparation time of correspondences with medical providers for December 20th Conference	4.00	300.00	LC
Dec-12-05	Phone conference with Central Louisiana Imaging regarding the records in the case.	0.20	28.00	RJS

	Preparation time of correspondences with medical providers for December 20th Conference; answering questions of medical providers conveyed by telephone	4.10	307.50	LC
Dec-13-05	Phone contact with medical providers pertaining to questions of correspondences sent regarding December 20th Conference	1.10	82.50	LC
Dec-14-05	Phone conference with Judge McVerry's chambers regading the Pretrial Conference.	0.20	28.00	RJS
	Phone conference with Attorney Seymour's office regarding the Pretrial Conference.	0.20	28.00	RJS
	Review providers who rejected the NIFL's request for a signed certification.	0.30	42.00	RJS
	Preparation time correspondence to the NIFL providers who refused to turn over medical records.	0.40	56.00	RJS
	Respond to telephone inquiries of medical providers responding to requests for medical information; documenting correspondences	1.00	75.00	LC
Dec-15-05	Respond to telephone inquiries of medical providers; document inquiries; prepare correspondence for medical providers refusing requests for information.	3.30	247.50	LC
Dec-16-05	Responding to telephone inquiries of medical providers responding to requests for information; prepare correspondences with medical providers refusing requests for medical information	6.70	502.50	LC
Dec-19-05	Phone conference with Great Plains Radiology regarding nine players for which medical records documentation is required.	0.30	42.00	RJS
	Prepare for Settlement Conference before Judge Ambrose.	0.70	98.00	RJS
	Responding to telephone inquiries of medical providers responding to requests for medical information; preparing correspondences with medical providers refusing requests for medical information; preparing documents for December 20th conference	7.20	540.00	LC



Invoice #: 9476 Page 4 February 8, 2006

Dec-20-05	Settlement conference w/Judge Ambrose and Attorney Michael Seymour, Bernie Caputo in Pgh.	6.00	960.00	TCL
	Attend Settlement Conference before Judge Amborse in Pittsburgh.	6.00	840.00	RJS
	Responding to and documenting telephone and fax inquiries of medical providers	0.50	37.50	LC
Dec-21-05	NIFL-Discussion of case with Attorney Sedlak regarding Pretrial Conference; Filing Motion In Limini-Use of insurance forms in lieu of medical records to substantiate damages.	0.20	28.00	FF
	Responding to and documenting telephone, fax and mail correspondences/inquiries from medical providers	7.60	570.00	LC
Dec-22-05	Responding to and documenting telephone, fax, and mail correspondences/inquiries from medical providers	6.30	472.50	LC
Dec-23-05	Responding to and documenting telephone, fax, and mail correspondences/inquiries from medical providers	4.00	300.00	LC
Dec-27-05	Responding to and documenting telephone, fax, and mail correspondences/inquiries from medical providers	3.00	225.00	LC
Dec-28-05	Responding to and documenting telephone, fax, and mail correspondences/inquiries from medical providers	5.50	412.50	LC
Dec-29-05	Responding to and documenting telephone, fax, and mail correspondences/inquiries from medical providers	4.00	300.00	LC
Dec-30-05	Responding to and documenting telephone, fax, and mail correspondences/inquiries from medical providers; requesting medical information	2.50	187.50	LC
Dec-31-05	Research damages - limitations under terms of contract after breach.	1.00	140.00	FF
Jan-02-06	Research material breach issues and excused performance under contract; Measure of damages; Formulate argument against application of deductible provision in contract as mitigation of damages.	2.00	280.00	FF

	Research regarding Ohio state cases in which the charging of fees by an insurance broker that are tied to workers compensation insurance is declared illegal.	1.00	140.00	RJS
	Responding to correspondences/inquiries of medical providers; documenting responses	1.50	112.50	LC
Jan-03-06	Preparation of documents for January 5th conference	7.80	585.00	LC
Jan-04-06	Review File documents and pleadings; Prepare for Preliminary Conference.	1.00	140.00	FF
	Preparation time for Pretrial Conference.	0.80	112.00	RJS
	Phone conference with the Ohio Bureau of Workers' Compensation regarding the imposition of a deductible.	0.50	70.00	RJS
	Preparation of documents for January 5th conference; respond to correspondence/inquiries of medical providers	6.50	487.50	LC
Jan-05-06	Attend Pretrial Conference in Pittsburgh	6.50	910.00	FF
	Attend Pretrial Conference in Pittsburgh before Judge McVerry.	6.50	910.00	RJS
	Prepare responses to medical provider regarding request for medical information; document response	0.20	15.00	LC
Jan-06-06	Tend to response from medical provider regarding request for medical information; document response	0.20	15.00	LC
Jan-09-06	Review strategy for the NIFL's trial; begin preparation time on Motions in Limine with respect to proving damages.	0.50	70.00	RJS
	Phone conference with Trails West Orthopedics regarding Brian Simmons and several other players' medical records.	0.20	28.00	RJS
	Respond to correspondences/inquiries of medical providers; document responses; request proper completion of Certification of Records Custodian form from medical providers	4.00	300.00	LC

Jan-10-06	Review Pretrial Order; Discuss proposed Motions in Limine with Attorney Ryan Sedlak	0.50	70.00	FF
	Research on federal court's docketing site regarding the pretrial order and reviewing of same.	0.40	56.00	RJS
	Review potential motion for the court to accept the NIFL's full claim for damages.	0.30	42.00	RJS
	Respond to telephone, mail, and fax correspondence/inquiries of medical providers; document responses; request correct completion of cert. form from medical providers	3.00	225.00	LC
Jan-11-06	Review Pretrial Order and c/w Carolyn Shiver regarding same.	0.30	48.00	TCL
	Discussion of case, Motions and damages with Attorney Sedlak and Attorney Leventry	0.20	28.00	FF
	Respond/document response of medical provider to request for medical information	0.20	15.00	LC
Jan-12-06	Respond/document response of medical provider to request for medical information	0.20	15.00	LC
Jan-13-06	Respond/document response of medical provider to request for medical information; faxed medical provider requesting original certification of custodian records form	0.40	30.00	LC
Jan-16-06	Preparation time for response of medical provider's request for medical information; document correspondence	0.10	7.50	LC
Jan-17-06	Preparation time for response of medical provider's request for medical information; document correspondence	1.70	127.50	LC
Jan-18-06	Preparation time for response of medical provider's request for medical information; document correspondence	0.80	60.00	LC
Jan-20-06	Preparation time for response of medical provider's request for medical information; document correspondence	0.30	22.50	LC
Jan-23-06	Preparation time for response of medical	2.50	187.50	LC

provider's request for medical information;  
document correspondence

Jan-24-06	Correspondence with Attorney Guerriero regarding Kareen Vance Monroe Bayou Beasts medical records.	0.20	32.00	TCL
	Receive/respond/document correspondence from medical providers regarding request for medical records	0.20	15.00	LC
Jan-26-06	Receive/respond/document correspondence from medical providers regarding request for medical records	0.20	15.00	LC
Jan-27-06	Review Court Order; Draft/dictation of Plaintiff's Motion in Limine for precluding defense to argue limitation of damages; and use of medical records and invoices for use at trial.	1.25	175.00	FF
	Review Order; Review FRCP regarding expert reports and testimony; Strategy meeting with Attorney Sedlak regarding bifurcation.	1.25	175.00	FF
	Preparation on Motion for Limine regarding the medical records and the provider certification; review the federal rules regarding bifurcation of the liability and damage issues.	1.00	140.00	RJS
Jan-30-06	Respond to/ document responses from medical providers pertaining to requests for medical records; attempt to locate medical provider with different address than one provided	1.20	90.00	LC
Jan-31-06	Respond to/ document responses from medical providers pertaining to requests for medical records; attempt to locate medical provider with different address than one provided	0.30	22.50	LC
	Totals	179.20	\$16,995.50	

## DISBURSEMENTS

Jan-03-06	UPS Overnight Letter	34.74
Jan-11-06	Mileage	71.20
	Parking	13.00
	West Law Research	49.59
	West Law Research	657.06

Totals	<hr/> \$825.59
<b>Total Fee &amp; Disbursements</b>	<hr/> <b>\$17,821.09</b>
Previous Balance	9,873.34
<b>Balance Now Due</b>	<hr/> <b>\$27,694.43</b>

***Leventry, Haschak, & Rodkey, LLC***

Attorneys At Law

1397 Eisenhower Boulevard  
Richland Square III, Suite 202  
Johnstown, PA 15904

Ph: 814-266-1799

Fax: 814-266-5108

National Indoor Football League  
600 Loire Avenue  
Lafayette, LA  
70507

April 13, 2006

**Attention:** Carolyn Shiver

File #: 01-214-01

Inv #: 9756

**RE:** Invoice/Retainer

DATE	DESCRIPTION	HOURS	AMOUNT	LAWYER
Feb-02-06	Receive/document response from medical provider concerning request for medical information	0.20	15.00	LC
Feb-03-06	Receive/document response from medical provider concerning request for medical information; respond to providers declining request; preparation of medical records of providers who granted request for information	0.80	60.00	LC
Feb-06-06	Receive/document response from medical provider concerning request for medical information	0.30	22.50	LC
Feb-07-06	Review, revise Motions in Limine	0.50	72.50	FF
Feb-08-06	Preparation of Motion in Limine.	0.40	64.00	TCL
	Editing and review of Motion in Limine.	0.30	42.00	RJS
Feb-09-06	Begin preparation of Motion to Bifurcate the Case.	0.30	42.00	RJS
Feb-10-06	Strategy meeting with Attorney Sedlak regarding expert reports and supplemental expert reports; witness lists; Review Pre-trial Statement regarding witness lists; prepare outline of trial issues for strategy meeting with TCL and RJS.	1.00	145.00	FF

	Litigation - strategy meeting with TCL and RJS	0.75	108.75	FF
	Research Federal Court (3rd Circuit and other Circuits) caselaw regarding bifurcation; review federal rules of procedure relative to bifurcation.	0.90	126.00	RJS
	Begin preparation of Motion to Bifurcate the liability and damages portion of the NIFL case.	2.80	392.00	RJS
	Meeting regarding case strategy and witness preparation.	0.30	42.00	RJS
Feb-13-06	Meeting to discuss trial strategy, witnesses and exhibits.	0.30	48.00	TCL
	Complete preparation of Motion to Bifurcate the case.	1.20	168.00	RJS
	Preparation time on proposed Order to the Court and a Certificate of Service relative to the Motion to Bifurcate; editing of the Motion to Bifurcate.	0.50	70.00	RJS
	Preparation of correspondences with medical providers for march 27th trial	1.90	142.50	LC
Feb-14-06	Preparation of Motion for Bifurcation and fax Attorney Seymour to regarding same.	0.40	64.00	TCL
	Preparation time on letter to Judge McVerry regarding the Motion for Bifurcation.	0.30	42.00	RJS
	Review Judge Luty's Motion's procedures; review Western District's Motion practices and Motions in Limine Practices; electronic filing of the Motion for Bifurcation on Federal Court.	0.70	98.00	RJS
	Preparation of documents--pleadings, correspondences, medical records--for March 27th trial	5.00	375.00	LC
Feb-16-06	Review expert report provided by the Defendants as part of the Pretrial Statement in preparation for trial.	0.20	28.00	RJS
	Preparation of medical records, correspondences, pleadings for March 27th trial	0.80	60.00	LC

Feb-17-06	Review expert report by Brian Britton, Esquire- (RPC Expert)	0.25	36.25	FF
	Preparation of medical records, correspondences, pleadings for March 27th trial	1.50	112.50	LC
Feb-20-06	Preparation of evidentiary issues and preparation for trial.	0.50	80.00	TCL
	Review Pretrial Order; Response to Motion to Bifurcate; Meeting with TCL and RJS.	0.50	72.50	FF
	Review the Defendants' Response to the NIFL's Motion; strategy meeting with Attorneys Leventry and Fordham.	0.50	70.00	RJS
	Receive/document correspondence from medical provider regarding request for medical records	0.30	22.50	LC
Feb-21-06	Phone conference with Judge McVerry's office regarding the Motion for Bifurcation.	0.20	28.00	RJS
	Review list of medical records provided with certification forms in preparation for the damages portion of trial.	0.30	42.00	RJS
	Receive/document correspondence from medical provider regarding request for medical records	0.70	52.50	LC
Feb-22-06	Preparation of records, reports, and correspondences for trial in March	2.10	157.50	LC
Feb-23-06	Editing and preparation of changes to the Motions in Limine to reflect the NIFL's entitlement to full damages.	0.60	84.00	RJS
	Electronic filing of the Motions in Limine; review Motion in Limine filed by the Defendants.	0.30	42.00	RJS
	Preparation of records, reports, correspondences for March trial	3.00	225.00	LC
Feb-27-06	Receive/document correspondence from medical providers regarding request for medical records	0.20	15.00	LC
Feb-28-06	Preparation of correspondences to players	6.70	502.50	LC



	requesting signed authorization for medical providers to provide medical records			
Mar-01-06	Preparation time on letter to the players with the largest claims.	0.40	56.00	RJS
	Preparation of correspondences to players requesting signed authorization for medical records	2.00	150.00	LC
Mar-02-06	Phone conference with Judge McVerry's office regarding the Motion in Limine.	0.20	28.00	RJS
Mar-03-06	Review Pretrial statements; Deposition of Dan D'Alio.	3.00	435.00	FF
	Research case law on self-authentication; medical records.	0.50	72.50	FF
	Review and prepare notes concerning the Blateri and Herf depositions in preparation for trial and in preparation for the letters to Mr. Herf and Mr. Blateri regarding the trial.	2.80	392.00	RJS
	Preparation time on Reply to the Defendants' Motion in Limine including case citations and exhibits.	4.20	588.00	RJS
	Preparation of documents, medical records to be sent to opposing council	4.00	300.00	LC
Mar-04-06	Research case law on self-authentication of business records; Review deposition of Carolyn Shiver.	2.00	290.00	FF
Mar-06-06	Review certification and admissability issues with Attorney Sedlak.	0.50	72.50	FF
	Work on Reply Brief with Attorney Sedlak.	1.00	145.00	FF
	Preparation time on Brief in Support of the NIFL's Motion in Limine; preparation time on Exhibits regarding same.	4.80	672.00	RJS
	Preparation of letters to Judge McVerry and Attorney Seymour regarding the NIFL's responses to the Plaintiffs Motions in Limine; electronic filing of the NIFL's Response and Brief in Support of its Motion in Limine.	0.90	126.00	RJS

April 13, 2006

	Preparation of documents, medical records to be sent to opposing council	5.00	375.00	LC
	Preparation of documents for exhibits for Plaintiff's Reply to Defendants' Motion in Limine	1.80	135.00	LC
Mar-07-06	Re: preparation time on Reply to Defendant's Motion in Limine.	0.80	128.00	TCL
	review Plaintiff's Brief in support of Motion in Limine	0.60	96.00	TCL
	Preparation of documents, medical records for trial	2.20	165.00	LC
Mar-08-06	Research case law; elements of fraud, mail fraud, wire fraud, civil RICO for preparation of proposed jury instructions.	1.50	217.50	FF
	Phone conference with Carolyn Shiver regarding preparing for litigation.	0.40	56.00	RJS
	Prepare for trial; preparation time on letter to Carolyn Shiver regarding the case; review effect of bankruptcy on D'Alio's case; review pleadings to determine RPC's pleading of standing; review NIFL's agreements with each team and each player's agreement.	2.60	364.00	RJS
	Review deposition testimony and preparation time on letters to Rex Blateri and Marty Herf regarding their testimony as witnesses.	1.70	238.00	RJS
	Receiving/documenting response to requests regarding medical records	0.30	22.50	LC
Mar-09-06	Preparation time on letter to Tom Sico regarding his testimony; review correspondence written by or carbon copying Tom Sico.	1.00	140.00	RJS
	Phone conference with Judge McVerry's law clerk regarding the Motions in Limine.	0.20	28.00	RJS
	Preparation time on Motion for Argument and proposed Order with regarding the NIFL's Motion in Limine.	3.00	420.00	RJS
	Preparation time on letters to Judge McVerry and Attorney Seymour regarding the Oral	0.70	98.00	RJS

Argument on the Motions in Limine;  
Electronic filing of the Motion for Argument  
on the Motions in Limine.

Preparation of medical releases for opposing council	3.00	225.00	LC
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Mar-10-06

Review testimony of Dan D'Alio-Prepare notes for use at Trial.	1.50	217.50	FF
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Review testimony of Carolyn Shiver-Prepare notes for use at Trial - Review e-mail/Order of Court from Judge McVerry; Telephone call to Judge's chambers regarding oral argument on Motions in Limine; Prepare for Trial.	4.00	580.00	FF
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Preparation time on Deposition, Interrogatories and Admission Excerpts list for filing with the Court; electronic filing of same; preparation time on letter to Attorney Seymour and Judge McVerry regarding same.	2.80	392.00	RJS
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Preparation of correspondences to medical providers requesting medical records with signed authorization of respective players	3.50	262.50	LC
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Mar-12-06

Preparation of argument for March 13, 2006 for Motions in Limine including review of Motions and Briefs.	1.80	288.00	TCL
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Review Motions in Limine; Prepare outline for Argument.	1.50	217.50	FF
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Preparation time on oral argument for Motion in Limine Hearing; review pleadings and prepare for oral argument; review exhibits attached to the NIFL's Motion, to its Reply to the Defendants Motions in Limine and to its Brief in Support of Its Motion.	1.70	238.00	RJS
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Mar-13-06

Preparation of and attend the Motions in Limine argument before Judge McVerry in Pittsburgh.	6.00	960.00	TCL
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Participate in Oral Argument on Motions in Limine via telephone.	1.00	145.00	FF
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Attend oral argument with regard to the Plaintiffs and Defendants Motions in Limine.	6.00	840.00	RJS
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Preparation time on witness list and exhibits	3.00	420.00	RJS
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April 13, 2006

	list to comply with the Pretrial Order; preparation of letter to Judge McVerry regarding same and electronic filing of same.			
	Production of exhibits for trial on March 27	4.00	300.00	LC
Mar-14-06	Phone conference with Carolyn Shiver regarding damages; provider certifications player medical releases.	0.40	56.00	RJS
	Production of exhibits for trial on March 27th; correspondence to medical provider requiring payment for record	7.30	547.50	LC
Mar-15-06	Re: Planning meeting w/Forrest Fordham and Ryan Sedlak for trial including discussion on voir dire jury instructions and testimony of witnesses.	0.60	96.00	TCL
	Review deposition of Carolyn Shiver, Review Exhibits - Prepare notes for Trial.	1.50	217.50	FF
	Research regarding RICO, breach of contract and fraud jury instructions.	1.30	182.00	RJS
	Meeting with Timothy Leventry and Forrest Fordham regarding trial strategy.	0.50	70.00	RJS
	Phone conference with Martin Herf regarding his testimony and availability.	0.30	42.00	RJS
	Phone conference with attorney representing Derrick Gackle regarding the status of the case.	0.30	42.00	RJS
	Prepare for trial, review the records and dates of decision for the administrative cases filed in Ohio, review all emails between the Ohio Bureau of Workers' Compensation and RPC.	2.00	280.00	RJS
	Documenting responses of medical providers regarding requests for medical records	0.40	30.00	LC
Mar-16-06	Research the Fifth and Eleventh Circuit's jury instructions for RICO and the O'Malley jury instructions for RICO per the Court's Pretrial Order.	1.40	196.00	RJS
	Document response; send out correspondence to medical providers for information	0.30	22.50	LC

Mar-17-06	Preparation of Exhibit for Carolyn Shiver regarding each player w/certified medical records, their injury, their date of injury and treatment dates.	0.70	112.00	TCL
	Telephone call w/Michael Seymour regarding settlement.	0.40	64.00	TCL
	Telephone call w/Michael Seymour regarding fraud unit at the Ohio Bureau of Workers' Compensation.	0.20	32.00	TCL
	Prepare for Trial	4.00	580.00	FF
	Review decision on Motions in Limine; Review player contracts to insure NIFL and football teams under contract to provide workers compensation insurance through employ share (Defendant); Draft proposed Voir Dire questions; Draft proposed Jury Instructions; Review depositions of Rex Blateri, Martin Herf - Prepare notes for use as Trial; (Review Motion filed by RPC to strike witness list and exhibits).	4.75	688.75	FF
	Production of documents, medical records, for trial on March 27; preparation of medical records for opposing counsel	3.00	225.00	LC
Mar-19-06	Research and prepare jury instructions for RICO; Breach of Contract; Fraud.	3.25	471.25	FF
	Work on Jury Instructions.	1.00	145.00	FF
Mar-20-06	Re: finalize jury instructions voir dire and verdict slip. (9p.m to 10:30p.m.)	1.50	240.00	TCL
	Preparation time jury instructions	1.30	195.00	JMH
	Research, review, analyze, revise jury instructions for RICO claims; fraud; Breach of Contract; Work on verdict slip and finalize voir dire questions; review jury instruction, voir dire, and verdict slip submitted by RPC; Research burden of proof in RICO and fraud cases.	8.50	1,232.50	FF
	Phone conference with Carolyn Shiver regarding her office's obtaining medical records releases from the players.	0.20	28.00	RJS

Mar-21-06	Preparation time on jury instructions for RICO; research RICO statute to incorporate into jury instructions; preparation time on jury instructions for the breach of contract claim and research cases in the Third Circuit and Pennsylvania involving breach of contract elements of proof; preparation time on jury instructions for the fraud claim and review relevant case law regarding same; review and research the O'Malley jury instructions to incorporate causation and damages explanations into the proposed jury instructions to comply with the Pretrial Order; review jury instructions and proposed jury slip submitted by the Defendants to incorporate our changes for filing with the federal court; prepare the Plaintiff's proposed jury slip.	8.00	1,120.00	RJS
	Phone conference with the Ohio Attorney General's Office regarding the RPC case and the Ohio BWC's witnesses.	0.80	112.00	RJS
	Preparation of medical records for trial on March 27	7.30	547.50	LC
	Review NIFL request for admissions; Review NIFL exhibit list; Review RPC exhibit list; Review documents to be used at trial regarding issues of authenticity and hearsay; Prepare proposed stipulations of fact.	3.25	471.25	FF
	Preparation time on correspondence with Attorney Payer at the Ohio Attorney General's Office.	0.20	28.00	RJS
	Two phone conferences with Carolyn Shiver regarding the medical records required.	0.40	56.00	RJS
	Preparation time on Reply to the Defendants Motion to Strike Witnesses and Medical Exhibits.	5.00	700.00	RJS
	Preparation time on Exhibits to the Reply to the Defendants Motion to Strike Witnesses and Medical Exhibits; electronic filing of same with the Federal Court.	0.80	112.00	RJS
	Phone conference with the NIFL league offices regarding Dominick Haston.	0.20	28.00	RJS

	Preparation of medical records for trial on March	7.50	562.50	LC
Mar-22-06	Preparation of Brief in Reply to Defendant's Motion relative to striking medical records and exhibits and witness list.	0.80	128.00	TCL
	Review supplemental exhibit list filed by Defendant; Review invoices and amounts for damage claim/settlement; Review deposition of Dan D'Alio and prepare for cross-examination at Trial - Review Motion for Reconsideration filed by RPC; Research Waiver of Standing Issue; Review Federal Rules of Civil Procedure regarding Answer-Raising Standing Issues; Review Federal R.C.P. regarding subpoena for witnesses located outside 100 miles of Courthouse; Rules for service of subpoenas and witness fees; Review player/member participation agreement with NIFL.	5.00	725.00	FF
	Preparation time on letter to Attorney Seymour regarding the Proposed Jury Instructions and the Reply to the Defendants Motion to Strike.	0.20	28.00	RJS
	Preparation time on letter to Carolyn Shiver regarding the review of her deposition testimony.	0.20	28.00	RJS
	Two phone conferences with Michael Seymour regarding the settlement offer and the Defendants' Amended Exhibits; review correspondence with Michael Seymour regarding settlement and phone conference with Attorney Leventry regarding same.	0.60	84.00	RJS
	Review updated certification forms and calculate damages the Plaintiff can prove in anticipation of revised settlement offer.	0.50	70.00	RJS
	Research regarding out-of-state subpoena's for federal court; preparation time on subpoena's for Herf, Blateri and Sico.	0.60	84.00	RJS
	Phone conference with Carolyn Shiver regarding Attorney Hartnett.	0.20	28.00	RJS
	Review the Defendants' Motion for Reconsideration and attached Exhibits; prepare	1.00	140.00	RJS

notes for response to the Defendants Motion  
 for Reconsideration.

Research regarding Ohio corporation law with regard to LLC's ability to sue on behalf of its members; research federal cases allowing an association to sue on behalf of its members; research regarding US Supreme Court cases allowing associations to sue on behalf of its members.	1.90	266.00	RJS
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Preparation time on timeline of correspondence between RPC and the NIFL for use at trial.	1.00	140.00	RJS
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Preparation of medical records for trial on March	7.30	547.50	LC
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Mar-23-06	Preparation of Reply to Brief to Motion for Reconsideration.	0.50	80.00	TCL
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Review Order from Judge McVerry; Work on response to Defendant's Motion for Reconsideration with Attorney Sedlak; Legal research regarding waiver of standing issue. and capacity to sue; Legal research third party beneficiary cases including United Steel Workers v. Copperweld Steel, 230 F. Supp. 383 (1964).	4.25	616.25	FF
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Retrieve case law regarding FRCP 17(a) and Prepare memo on case law	2.00	270.00	PJE
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Research regarding the doctrine of promissory estoppel as applied in the Third Circuit courts and regarding an objection for the Plaintiffs' capacity to sue and relative to the Plaintiff as a real party in interest and regarding the third circuit's cases involving an association's standing to sue on behalf of its members; shepardize cases cited in the Plaintiffs Reply.	2.00	280.00	RJS
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Preparation time on Reply to the Defendants' Motion for Reconsideration.	5.00	700.00	RJS
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Prepare Exhibits for the Reply to the Defendants' Motion for Reconsideration; electronic filing of same.	1.00	140.00	RJS
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	Preparation of medical records for trial on March	7.50	562.50	LC
Mar-24-06	Meeting with Ryan Sedlak, Forrest Fordham and Paul Mattis regarding outlining trial strategy, trial witness list and timing for witnesses and Exhibit Organization.	1.50	240.00	TCL
	Work on D'Alio questions for cross-examination; Litigation meeting with Attorney Leventry, Attorney Sedlak and Paul Mattis.	3.25	471.25	FF
	Prepare for trial - examination of D'Alio.	1.00	145.00	FF
	Review standing/real party in interest/capacity to sue issues with RJS	0.40	54.00	PJE
	Meeting with Tim Leventry and Forrest Fordham to prepare testimony and case strategies; prepare for trial.	2.00	280.00	RJS
	Review exhibit submitted by the Defendants containing seventeen thousand claims paid by the Ohio Bureau of Workers' Compensation; preparation time on Motion to Strike the Defendants Exhibit along with a proposed Order.	2.00	280.00	RJS
	Two phone conferences with Carolyn Shiver regarding the recent medical records received; phone conference with Judge McVerry's chambers regarding the Reply filed to the Defendants Motion concerning standing.	0.40	56.00	RJS
	Prepare for trial; review various evidentiary documents.	2.70	378.00	RJS
	Research process servers in Columbus. Phone conference with process server in Columbus and preparation time detailed instructions for service of subpoenas on Sico, Herf and Blateri.	1.00	140.00	RJS
	Preparation of medical records for trial on March	8.50	637.50	LC
Mar-25-06	Preparation of deposition questions and exhibits for Carolyn Shiver, preparation time of deposition questions for Rex Blatari, review request for stipulation for admissions and	7.00	1,120.00	TCL

make amendments thereto; prepare Fee agreement letter w/NIFL and participate in attorney trial strategy meeting to discuss issues to be considered at trial.

Preparation of Motion for Supplemental Jury Instructions.	0.20	32.00	TCL
Litigation meeting; Prepare for trial.	4.00	580.00	FF
Prepare for trial.	1.50	217.50	FF
Review Ohio and Pennsylvania case law concerning the standard of proof in fraud cases.	0.80	112.00	RJS
Review Ohio and Third Circuit case law regarding the defendants' burden to establish ability to comply with the contract before the defendant may seek damages for the plaintiff's alleged breach.	0.90	126.00	RJS
Prepare Motion for Supplemental Jury Instruction citing Pennsylvania, Third Circuit and Ohio case law; preparation time on proposed order.	1.50	210.00	RJS
Prepare for trial; several strategy meetings with Tim Leventry and Forrest Fordham.	1.00	140.00	RJS
Prepare presentation of the damages portion of trial.	0.80	112.00	RJS
Preparation on Exhibit to strike the Defendants' exhibit; electronic filing of same with the federal court docketing system.	0.40	56.00	RJS
Review documents relevant to Herf's and Sico's testimony.	1.00	140.00	RJS
Preparation of medical records for trial on March	7.80	585.00	LC
Mar-26-06 Review Rex Blateri deposition and Rex Blateri Exhibits; preparation of questions for Rex Blateri.	2.40	384.00	TCL
Preparation of opening argument, including trial discussion on Exhibit w/Attorney Sedlak and Fordham.	2.50	400.00	TCL

Review emails sent and received by Dan D'Alio; Members of Ohio Bureau of W.C.	3.00	435.00	FF
Trial preparation.	3.50	507.50	FF
Electronic filing of Motion for Supplemental Jury instruction; review docketing list.	0.50	70.00	RJS
Review Herf deposition and make timeline and notes regarding same.	1.30	182.00	RJS
Preparation time on direct examination questions for Marty Herf.	3.00	420.00	RJS
Preparation time on direct examination questions of Tom Sico.	1.40	196.00	RJS
Begin assembly of all documents and folders for trial.	1.00	140.00	RJS
Preparation of medical records for trial on March	7.70	577.50	LC
Mar-27-06 Preparation of Opening Argument.	0.60	96.00	TCL
Preparation of Exhibits for trial.	0.80	128.00	TCL
Preparation of Opening Argument scheduled for March28.	1.00	160.00	TCL
Prepare exhibits - Trial Preparation	2.00	290.00	FF
Travel to Pittsburgh	1.50	217.50	FF
Make final preparation of exhibits for trial; rehearse damages presentation by review of power point slide show; assemble all documents needed for trial.	3.00	420.00	RJS
Travel to Pittsburgh; phone conferences with Marty Herf and Tom Sico; phone conference with Charissa Payer at the Ohio Atty. General's Office; meeting with Kelly LaMantia at Judge McVerry's Chambers; testing of computer equipment's compatibility with the Courthouse's presentation system.	3.00	420.00	RJS
Preparation of medical records for trial on March	4.50	337.50	LC

Mar-28-06	Review questions for Carolyn Shiver and final preparation of Opening Argument.	1.00	160.00	TCL
	Re: participate in pretrial meetings w/Judge McVerry and participate in Jury Selection.	3.00	480.00	TCL
	Re: negotiations regarding settlement and finalize settlement Consent.	2.00	320.00	TCL
	Trial - Jury Selection	8.00	1,160.00	FF
	Attend jury selection, trial and meeting with Carolyn Shiver. Phone conferences with witnesses Marty Herf and Tom Sico.	8.00	1,120.00	RJS
Mar-31-06	Correspondence with Bernie Caputo and review Stipulation regarding w/d of counterclaim.	0.30	48.00	TCL
	Totals	360.15	\$43,895.75	

**DISBURSEMENTS**

	Photo Copies	2,280.00
Feb-20-06	West Law Research	70.08
Mar-02-06	UPS Overnight Letter	15.00
Mar-13-06	Mileage	150.00
	Parking	13.00
Mar-24-06	Marty Herf- Per Diem Fee and Mileage	124.55
	Drummond Research- Process Server Fees	220.00
Mar-27-06	Mileage	133.50
	Parking	13.00
	Turnpike Toll	3.25
	Mileage	133.50
	Parking	13.00
	Non-Refundable Airline tickets. 3@ \$900.60	2,701.80
	Hotel	326.48
Mar-30-06	Patricia W Sherman, Court Reporting	13.08
Mar-31-06	UPS Overnight Letter	33.18
	UPS Overnight Letter	20.00
	UPS Overnight Letter	20.00
	UPS Overnight Letter	20.00
	UPS Overnight Letter	20.76
	UPS Overnight Letter	20.00
	UPS Overnight Letter	20.00
	UPS Overnight Letter	20.00

Totals	<hr/>	\$6,384.18
<b>Total Fee &amp; Disbursements</b>	<hr/>	<b>\$50,279.93</b>
Trust Transferred at Billing		50,279.93
Previous Balance		27,694.43
Previous Payments		27,694.43
<b>Balance Now Due</b>	<hr/>	<b>\$0.00</b>

**PAYMENT DETAILS**

Mar-29-06	Check # 20222	10,000.00
Apr-13-06	Check # 15830	17,992.70
Apr-13-06	Payment for invoice: 9756	50,279.93
<b>Total Payments</b>		<hr/> <b>\$78,272.63</b>

**TRUST STATEMENT**

	<b>Disbursements</b>	<b>Receipts</b>
Mar-29-06	Received From: National Indoor Football League Check # 20220	3,000.00
Apr-13-06	Received From: RPC Employer Services, Inc Check # 29259	75,000.00
	Paid To: Leventry & Haschak Pay Prev balance of Legal Fees	17,992.70
	Paid To: LEVENTRY, HASCHAK & RODKEY, Payment for invoice: 9756	50,279.93
	<hr/>	<hr/>
	Total Trust	\$68,272.63
		\$78,000.00
	<b>Trust Balance</b>	<b>\$9,727.37</b>

***Leventry, Haschak, & Rodkey, LLC***

Attorneys At Law

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Johnstown, PA 15904

Ph: 814-266-1799

Fax: 814-266-5108

National Indoor Football League  
600 Loire Avenue  
Lafayette, LA  
70507

April 28, 2006

**Attention:** Carolyn Shiver

File #: 01-214-01

Inv #: 9930

**RE:** Invoice/Retainer

**DISBURSEMENTS**

Apr-25-06	West Law Research	5,171.88	
	Totals	<hr/> \$5,171.88	
	<b>Total Fee &amp; Disbursements</b>		<hr/> \$5,171.88
	Trust Transferred at Billing		5,171.88
	<b>Balance Now Due</b>		<hr/> \$0.00

**PAYMENT DETAILS**

Apr-28-06	Payment for invoice: 9930	5,171.88	
	<b>Total Payments</b>		<hr/> \$5,171.88

TRUST STATEMENT

	Disbursements	Receipts
Trust Balance Forward		9,727.37
Apr-28-06 Paid To: LEVENTRY, HASCHAK & RODKEY, Payment for invoice: 9930	5,171.88	
Total Trust	<hr/> \$5,171.88	<hr/> \$9,727.37
Trust Balance		\$4,555.49



***Leventry, Haschak, & Rodkey, LLC***

Attorneys At Law

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National Indoor Football League  
600 Loire Avenue  
Lafayette, LA  
70507

June 13, 2006

**Attention:** Carolyn Shiver

File #: 01-214-01

Inv #: 10133

**RE:** Invoice/Retainer

DATE	DESCRIPTION	HOURS	AMOUNT	LAWYER
Apr-06-06	Preparation of documentation of medical records in which were not certified	2.20	165.00	LC
Apr-11-06	Correspondence with Michael Seymour regarding selection of mediator.	0.20	32.00	TCL
Apr-13-06	Review federal rules of civil procedure applicability to the settlement of the NIFL's two (2) counts.	0.20	28.00	RJS
Apr-17-06	Phone conference with Carolyn Shiver regarding the medical provider records; meeting with Paul Mattis regarding same; review Health South records; phone conference with Judge McVerry's office regarding the choosing of a mediator;	1.50	210.00	RJS
	Verifying that records in possession contain underlying medical records with certification and HICFA forms; fax to list to Carolyn Shiver	3.30	247.50	LC
Apr-18-06	Telephone call w/Tom Cooper's office regarding mediation.	0.20	32.00	TCL
Apr-19-06	Non-Billable Work: Two phone conferences with Carolyn Shiver concerning the NIFL's bill and settlement from RPC; review the NIFL's bills since 2001 with Laurie Karl.	3.00	0.00	RJS

	Categorization of records that are certified and/or just contain certified HICFA forms	3.30	247.50	LC
Apr-20-06	Phone conference with Kareem Vance concerning the status of the suit and his claim; review medical information provided by him.	0.50	70.00	RJS
Apr-21-06	Telephone call w/Tom Cooper regarding Mediation Conference.	0.50	80.00	TCL
Apr-27-06	Preparation of correspondence to Carolyn Shiver regarding medical records turnover.	0.20	32.00	TCL
	Preparation of correspondence to Carolyn Shiver requesting whatever documents in possession of the NIFL that are pertinent to case	0.30	22.50	LC
May-05-06	Preparation of and participate in t/c w/Tom Cooper and Michael Seymour regarding mediation procedure .	0.80	128.00	TCL
	Telephone call w/trial team regarding schedule of events for mediation.	0.30	48.00	TCL
	Strategy meeting with Attorney Sedlack and Attorney Leventry regarding preparation of damage case to Mediator Tom Cooper.	0.20	29.00	FF
	Review medical records submitted by the NIFL for presentation to the mediator.	0.50	70.00	RJS
	Examination / preparation of records received from the NIFL for mediator	3.00	225.00	LC
May-08-06	Preparation of correspondence to Tom Cooper and Michael Seymour regarding Agenda and attachment of Exhibits including preparation of Evidentiary Exhibits including Motions in Limine and Pretrial Statements.	0.60	96.00	TCL
	Preparation of medical documents, other records for presentation to mediator and inspection of opposing counsel	7.40	555.00	LC
May-09-06	Phone conference with Carolyn Shiver regarding the mediator timetable and procurement of certification forms.	0.30	42.00	RJS
	Non-Billable Work: Phone conference with Carolyn Shiver regarding the NIFL's bill.	0.30	0.00	RJS

Invoice #:

10135

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June 13, 2006

	Preparation of medical documents, other records for presentation to mediator and inspection of opposing counsel	7.30	547.50	LC
May-10-06	Preparation of medical documents, other records for presentation to mediator and inspection of opposing counsel	7.70	577.50	LC
May-11-06	Preparation of medical exhibit detailing what medical records we have for each particular player.	0.30	48.00	TCL
	Review of NIFL's files with regarding to obtaining final information to complete the package of medical records to go to Michael Seymour and Thomas Cooper (mediator).	0.40	56.00	RJS
	Preparation time on letter to Carolyn Shiver, Review case documentation concerning cases filed against the NIFL; review largest providers for which we lack a signed certification; review over records in terms of their compliance with the court's evidentiary order.	1.40	196.00	RJS
	Preparation of medical documents, other records for presentation to mediator and inspection of opposing counsel	7.80	585.00	LC
May-12-06	Preparation of medical documents, other records for presentation to mediator and inspection of opposing counsel	7.80	585.00	LC
May-15-06	Preparation of medical documents, other records for presentation to mediator and inspection of opposing counsel	7.60	570.00	LC
May-16-06	Preparation of medical documents, other records for presentation to mediator and inspection of opposing counsel	7.50	562.50	LC
May-17-06	Preparation of medical documents, other records for presentation to mediator and inspection of opposing counsel	8.20	615.00	LC
May-18-06	Review and organize files to be send to Thomas Cooper, mediator, and Michael Seymour; review spreadsheet of claims and preparation time on letter to Thomas Cooper and Michael Seymour.	2.40	336.00	RJS

	Preparation of medical documents, other records for presentation to mediator and inspection of opposing counsel	4.00	300.00	LC
May-22-06	Phone conference with Brian Mills regarding medical bills needed from him and regarding the status of the case.	0.20	28.00	RJS
	Preparation of electronic presentation of medical records / injured players for mediator	5.50	412.50	LC
May-23-06	Preparation of electronic presentation of medical records / injured players for mediator	4.00	300.00	LC
	Examination of files for lawsuit / judgment records against NIFL, teams	1.00	75.00	LC
May-24-06	Examination of files for lawsuit / judgment records against NIFL, teams; preparation of correspondence to NIFL requesting Complaints, Answers, Court Orders, other pleadings in NIFL's possession against NIFL / teams by individual players	2.50	187.50	LC
May-26-06	Preparation of medical records to supplement those already sent to Attorney Seymour; preparation of correspondence to Attorney Seymour pertaining to supplemental medical records; preparation of medical records for files to presentation to mediator	1.60	120.00	LC
	Preparation of claims / judgments against NIFL / teams by individual players to send to Attorney Seymour	0.60	45.00	LC
May-30-06	Phone conference with Kareem Vance regarding medical records and letter required for credit problems.	0.20	28.00	RJS
	Preparation of correspondence and documents to Attorney Seymour pertaining to claims / judgments against NIFL, teams by individual players	0.50	37.50	LC
	Preparation / examination of medical records received from the NIFL to send to Attorney Seymour	3.50	262.50	LC
May-31-06	Preparation time on letter to Kareem Vance regarding the status of the case and regarding required medical records.	0.40	64.00	TCL

Preparation of correspondence to Michael Seymour and Tom Cooper regarding lawsuit claims.	0.20	32.00	TCL
Preparation / examination of medical records received from the NIFL to send to Attorney Seymour; preparation of pleading in Jeff Kerns case to send to Attorney Seymour; preparation of correspondence to Attorney Seymour	5.20	390.00	LC
Totals	116.60	<u>\$9,320.00</u>	

## DISBURSEMENTS

May-09-06	Postage	7.15	
	Totals	<u>\$7.15</u>	
	<b>Total Fee &amp; Disbursements</b>		<u><b>\$9,327.15</b></u>
	Trust Transferred at Billing		4,512.47
	<b>Balance Now Due</b>		<u><b>\$4,814.68</b></u>

## PAYMENT DETAILS

Jun-13-06	Payment for invoice: 10133	4,512.47	
	<b>Total Payments</b>		<u><b>\$4,512.47</b></u>

TRUST STATEMENT

	Disbursements	Receipts
Trust Balance Forward		4,555.49
Apr-24-06	Paid To: S & L Copy Service Invoice # # 13787 & 13788	43.02
Jun-13-06	Paid To: LEVENTRY, HASCHAK & RODKEY, Payment for invoice: 10133	4,512.47
Total Trust	<hr/> \$4,555.49	<hr/> \$4,555.49
Trust Balance		\$0.00

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National Indoor Football League  
600 Loire Avenue  
Lafayette, LA  
70507

September 13, 2006

**Attention:** Carolyn Shiver

File #: 01-214-01

Inv #: 10738

**RE:** Invoice/Retainer

DATE	DESCRIPTION	HOURS	AMOUNT	LAWYER
Jun-01-06	Preparation of medical records, certification documents received from the NIFL and organize appropriately for presentation to mediator and preparation of charts to accompany those records as well as to update firm's listing of said records.	4.50	337.50	LC
Jun-02-06	Review claims submission forms HCFA-1500 and HCFA-1450 concerning their differences and uses with respect to workers compensation claims relative to Attorney Seymour's objections.	0.50	70.00	RJS
	Preparation of documents/medical records for mediator	2.50	187.50	LC
	Examination of records not objected to by Attorney Seymour to determine reasons for such in preparation of mediation; preparation of correspondence to inquire about Attorney Seymour's criteria for accepting/refusing records	3.00	225.00	LC
Jun-05-06	Examination of records not objected to by Attorney Seymour to determine reasons for such in preparation of mediation	1.50	112.50	LC
Jun-06-06	Examination of records not objected to by Attorney Seymour to determine reasons for such in preparation of mediation	0.50	37.50	LC

	Preparation of correspondence to accompany medical records to be sent to mediator	1.00	75.00	LC
Jun-07-06	Examination of records not objected to by Attorney Seymour to determine reasons for such in preparation of mediation	0.50	37.50	LC
Jun-12-06	Examination of medical records for purpose of beginning damage calculations.	6.80	510.00	LC
Jun-13-06	Preparation for Pretrial Conference w/mediator.	1.50	240.00	TCL
	Prepare for pre-mediation conference with Attorney Cooper.	1.50	210.00	RJS
	Examination of records submitted by Attorney Seymour	2.30	172.50	LC
Jun-14-06	Preparation of internal memorandum regarding issues for the Mediator and c/w Carolyn Shiver regarding same.	0.40	64.00	TCL
	Re: attend first Pretrial Conference w/Tom Cooper and Michael Seymour in Pittsburgh in Mr. Cooper's office.	6.00	960.00	TCL
Jun-15-06	Examination of medical records to ascertain which medical records in possession contained HCFA's that corresponded with the duplicated HCFA's sent to Attorney Seymour in November 2005	4.10	307.50	LC
Jun-16-06	Review player C-110's submitted by each team and review team payrolls to refute Attorney Seymour's defenses to the damages claim.	0.40	56.00	RJS
	Differentiation of certified medical records photocopied and sent to Attorney Seymour November 2005 from those received from medical providers after November 2005	6.90	517.50	LC
Jun-19-06	Preparation of spreadsheet of all medical records in possession distinguishing whether each contained HCFA(s), Certification of Records Custodian, papers from the Bureaus of Workers' Compensation, and/or actual medical file(s)	7.10	532.50	LC
Jun-20-06	Continued preparation of spreadsheet of all medical records that contain HCFA(s),	7.30	547.50	LC



Invoice #:

10738

Page 3

September 13, 2006

Certification of Records Custodian, papers from BWC, and/or medical records; preparation of spreadsheet of all medical records that contained certification, HCFA forms and medical records

Jun-21-06	Continued preparation of spreadsheet of medical records containing certifications, HCFA's and medical records and preparation of spreadsheet of medical records that contained just certifications and HCFA forms	6.90	517.50	LC
Jun-22-06	Begin preparation on reply to Attorney Seymour's arguments with respect to damages; review case documents and spreadsheets regarding same.	0.30	42.00	RJS
	Preparation of spreadsheet of medical records containing certifications and files of medical providers	6.50	487.50	LC
Jun-23-06	Compilation of spreadsheets pertaining to medical records and prepared spreadsheet of lawsuits involving the NIFL	3.50	262.50	LC
	Preparation of correspondence to Attorney Guerriero, Attorney for Kareem Vance, regarding status of case	0.80	60.00	LC
Jun-27-06	Research cases regarding bad faith termination of contracts and unclean hands doctrine as applied to reliance upon termination provision in a contract in preparation for the Brief in Support of Damage Claim.	1.80	252.00	RJS
	Preparation time on Brief in Support of Damage Claim.	4.60	644.00	RJS
	Organization of files pertaining to pleadings and court orders since beginning of case	0.60	45.00	LC
Jun-28-06	Preparation time on Brief in Support of Damage Claim and editing of same; review case documents in preparation for meeting before Mediator.	3.90	546.00	RJS
	Preparation time on Exhibits to the Brief in Support of Damage Claim.	0.90	126.00	RJS
	Phone conference with Carolyn Shiver regarding the suits filed against the NIFL.	0.30	42.00	RJS

	Prepare for meeting with Tom Cooper; meeting with Leventry; prepare changes to the Brief in Support of Damages.	1.00	140.00	RJS
	Examination of disputed C-110's to determine those corresponding with records in possession	1.00	75.00	LC
	Preparation of Exhibits to Brief in Support of Damage Claim	2.70	202.50	LC
Jun-29-06	Preparation of Brief for issues to be presented to the Mediator Tom Cooper on June 29 and review of Exhibits relative thereto.	1.00	160.00	TCL
	Re: attend mediation conference in Pgh. w/Michael Seymour and Tom Cooper, the mediator.	4.50	720.00	TCL
	Preparation of Memorandum regarding requirements of the Mediator and preparation of correspondence to Carolyn Shiver advising Carolyn of the results of the 6/29/06 Mediation conference.	0.50	80.00	TCL
	Attend Meeting with Mediator Thomas Cooper and Attorney Seymour.(1/2 time)	2.20	308.00	RJS
Jul-03-06	Preparation time on listing of spreadsheets and criteria to address Attorney Seymour's objections; review NIFL contract regarding the deductible; review documents relative to Attorney Seymour's objections; preparation time on Memoradum to Paul.	2.30	322.00	RJS
	Preparation of correspondence to Carolyn Shiver requesting information Re: Mobile Seagulls and Louisiana Bayou Beasts	0.50	37.50	LC
	Preparation of documents for calculations of damage claims Re: Mobile Seagulls and Louisianna Bayou Beasts.	4.00	300.00	LC
Jul-05-06	Re: discuss various analytical and quantitative scenarios w/Paul Mattis in order to provide him information to prepare same.	0.40	64.00	TCL
	Preparation of spreadsheets for damage calculations of records between March 30, 2001 to the end of the season, no deductible, given to Attorney Seymour between November 2005 and the present with all records linked to	5.30	397.50	LC

those presented November 2005, and all records include Certification of Records Custodian form, HCFA forms, BWC papers, medical records, and any combination of the four, excluding BWC papers singularly

Jul-06-06	Preparation of spreadsheets for damage calculations of records between March 30, 2001 to the end of the season, no deductible, given to Attorney Seymour between November 2005 and the present with all records linked to those presented November 2005, and all records consisting of Certification of Records Custodian forms, HCFA forms, and underlying medical records	5.10	382.50	LC
Jul-07-06	Preparation of spreadsheets for damage calculations of records between March 30, 2001 to the end of season, no deductible, given to Attorney Seymour between November 2005 and the present with all records linked to those presented November 2005, and all records consisting of a HCFA form or medical records or both accompanied by a Certification of Records Custodian form	4.60	345.00	LC
Jul-11-06	Preparation of spreadsheets for damage calculations between March 30, 2001 to end of the season, with deductible included, records given to Attorney Seymour between November 2005 and present with all records linked to those presented November 2005 and consisting of Certification of Records Custodian form, HCFA forms, BWC papers, medical records, and any combination of the four, excluding BWC papers singularly	4.60	345.00	LC
Jul-12-06	Preparation of spreadsheets for damage calculations between March 30, 2001 to end of the season, with deductible included, records given to Attorney Seymour between November 2005 and present with all records linked to those presented November 2005 and consisting of Certification of Records Custodian forms, HCFA forms, and underlying medical records	5.70	427.50	LC
Jul-13-06	Preparation of spreadsheets for damage calculations of records between March 30, 2001 to the end of season, with deductible included, given to Attorney Seymour between	5.60	420.00	LC

November 2005 and the present with all records linked to those presented November 2005, and all records consisting of a HCFA form or medical records or both accompanied by a Certification of Records Custodian form

Jul-17-06	Preparation of spreadsheets for damage calculations of records between March 30, 2001 to end of season, with and without deductibles, pertaining to records given to Attorney Seymour between November 2005 and March 13, 2006 with all records linked to those presented November 2005 and consisting of Certification of records Custodian forms, HCFA forms and underlying medical records	5.50	412.50	LC
Jul-18-06	Review correspondence from NIFL player Brian Mills; preparation time on correspondence to Brian Mills regarding the status of the case.	0.40	56.00	RJS
	Review Motion filed by NIFL's attorneys in the Kerns case; review Kerns case matter; preparation time on letter to Attorney Kleber regarding same.	0.90	126.00	RJS
	Preparation of spreadsheets for damage calculations between March 30, 2001 to May 17, 2001, with and without deductibles, pertaining to records given to Attorney Seymour between November 2005 and the present, with all records linked to those presented November 2005 and consisting of Certification of Records Custodian form, HCFA forms, BWC papers, medical records, and any combination of the four, excluding BWC papers singularly	5.20	390.00	LC
Jul-19-06	Preparation of spreadsheets for damage calculations between March 30, 3001 to May 17, 2001, with and without deductibles, pertaining to records given to Attorney Seymour between November 2005 and the present, with all records linked to those presented November 2005, and consisting of Certification of Records Custodian forms, HCFA forms, and underlying medical records or consisting of medical records containing HCFA forms, medical records or both while accompanied by a Certification of Records	4.90	367.50	LC

Custodian form with and without deductible included for these as well

Jul-20-06	Preparation of spreadsheets for damage calculations between March 30, 2001 to May 17, 2001, with and without deductibles, pertaining to records given to Attorney Seymour between November 2005 and March 13, 2006 with all records linked to those presented November 2005, and records consisting of Certification of Records Custodian forms, HCFA forms, and underlying underlying medical records	5.30	397.50	LC
Jul-21-06	Preparation of spreadsheets for damage calculations between March 30, 2001 to June 7, 2001, with and without deductibles, pertaining to records given to Attorney Seymour between November 2005 and the present with all records linked to those presented November 2005 and consisting of Certification of Records Custodian form, HCFA forms, BWC papers, medical records, and any combination of the four, excluding BWC papers singularly	5.90	442.50	LC
Jul-24-06	Preparation of damage calculations between March 30, 2001 to June 7, 2001, with and without deductibles, pertaining to records given to Attorney Seymour between November 2005 and the present, with all records linked to those presented November 2005 and consisting of Certification of Records Custodian forms, HCFA forms, and underlying medical records or consisting of medical records containing HCFA forms, medical records or both while accompanied by a Certification of Records Custodian form with and without deductible included for these as well	4.00	300.00	LC
Jul-25-06	Re: analization of numerous scenarios relative to damages including w/deductible and w/o deductible through records to March 13 and injuries through May17 and June 7, etc.	1.20	192.00	TCL
	Review correspondence from Attorney Klehr-Kleber regarding the Kerns matter; preparation time on responsive correspondence.	0.50	70.00	RJS

Preparation of damage calculations between March 30, 2001 to June 7, 2001, with and without deductible included, pertaining to records given to Attorney Seymour between November 2005 and March 13, 2006 with records linked to those presented November 2005 and consisting of Certification of records Custodian forms, HCFA forms, and underlying medical records

1.20

90.00

LC

Jul-28-06

Review damage calculations relative to the various scenarios including the removal of deductibles from the calculation package.

0.40

64.00

TCL

Jul-31-06

Preparation of amended Damage Calculations and accompanying correspondences for Carolyn Shriver, Attorney Seymour, and Attorney Cooper

4.50

337.50

LC

Totals

179.30

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 \$16,196.50
**DISBURSEMENTS**

Jun-27-06

UPS Overnight Letter

165.00

UPS Overnight Letter

65.00

Jul-05-06

Smart Document Solutions

87.30

Jul-26-06

West Law Research

77.12

Aug-21-06

Postmaster

10.40

Totals

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 \$404.82
**Total Fee & Disbursements**


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**\$16,601.32**

Previous Balance

4,814.68

**Balance Now Due**


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**\$21,416.00**

***Leventry, Haschak, & Rodkey, LLC***

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National Indoor Football League

October 10, 2006

600 Loire Avenue  
Lafayette, LA  
70507**Attention:** Carolyn Shiver

File #: 01-214-01

Inv #: 10863

**RE:** Invoice/Retainer

DATE	DESCRIPTION	HOURS	AMOUNT	LAWYER
Aug-02-06	Preparation of documents for mediation conference scheduled for August 3, 2006.	3.00	225.00	LC
Aug-03-06	Preparation of Post-Mediation Conference Memorandum regarding Mediation Statement Brief required by the Mediator.	4.00	640.00	TCL
	Phone conference with Cleveland Gary regarding the status of the case.	1.00	140.00	RJS
Aug-04-06	Review of C-110's of Louisiana Bayou Beasts, Mobile Seagulls, and Southern Oregon Heat to determine when signed; review status of lawsuits involving NIFL.	1.20	90.00	LC
Aug-07-06	Preparation of letter to Attorney Sarah Kuehl-Kleber clarifying July 18, 2006 letter.	0.30	22.50	LC
	Preparation of letter to Carolyn Shiver Re: Damage Calculations and status of mediation.	0.30	22.50	LC
Aug-11-06	Phone call to Cleaveland Gary; review current legal charges claimed due from RPC.	0.20	28.00	RJS
Aug-17-06	Preparation of correspondence to Carolyn Shiver regarding calculation damages and Brief required.	0.30	48.00	TCL
Aug-18-06	Preparation of correspondence to Carolyn	0.50	37.50	LC

Shiver Re: Mediation Conference and Damage Scenarios.

Sep-05-06	Phone conference with Charles Emanuel regarding the status of the case.	0.40	56.00	RJS
Sep-06-06	Obtain and review documents to be sent to Charles Emanuel; preparation of same for electronic delivery; preparation time on correspondence regarding same.	0.60	84.00	RJS
Sep-11-06	Complete analysis of teams covered by the Service Agreement for workers' compensation purposes; review court orders relative to records needed to prove damages and complete analysis of Ohio Workers Compensation rules with respect to a deductible applying to medical providers and with respect to a deductible applying for purposes of common law damages where workers' compensation insurance has not been procured by the Defendant.	3.80	532.00	RJS
Sep-12-06	Preparation time on Second Brief in Support of Damages per the mediator's instructions.	3.50	490.00	RJS
	Review C-110's submitted to determine correspondence to injured players' claims.	1.10	154.00	RJS
Sep-13-06	Phone conference with Cleveland Gary regarding the mediation meeting scheduled for September 28th.	0.50	70.00	RJS
Sep-14-06	Phone conference with Cleveland Gary and Carolyn Shiver regarding the NIFL's claim for attorneys fees and the general status of the mediation.	0.40	56.00	RJS
	Review applicable case law with respect to prevailing party provisions of contracts; review standard applied by courts for the reasonableness of attorney's fees.	1.90	266.00	RJS
	Preparation of materials to compile exhibits for Second Brief in Support of Damage Claims	0.20	15.00	LC
Sep-15-06	Preparation of Brief in Support of issues for Mediator.	0.60	96.00	TCL
	Complete analysis of basis for attorneys' fees claim and work performed; assemble and	4.00	560.00	RJS



review information to prove claim for attorneys' fees.

Editing of Second Brief in Support of Damage Claim and preparation time on exhibit list relative to same.	2.00	280.00	RJS
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Sep-18-06	Preparation of Exhibits to Second Brief in Support of Damage Claim	4.00	300.00	LC
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Preparation of correspondence to accompany Second Brief in Support of Damage Claim and its accompanying Exhibits	0.50	37.50	LC
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Sep-25-06	Preparation of Mediation Conference scheduled w/Tom Cooper for September 26, 2006; review damage claims including review of damage claims and brief issues; t/c w/Cleveland Geary and Carolyn Shiver regarding settlement; t/c w/Michael Seymour regarding settlement.	1.30	208.00	TCL
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Review NIFL's various damage claims in preparation for meeting with Mediator and Michael Seymour.	0.50	70.00	RJS
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Prepare for and participate in phone conference with Cleveland Gary and Carolyn Shiver regarding the final meeting with the Mediator.	0.50	70.00	RJS
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Two phone conferences with Cleveland Gary regarding the phone conference with our office and regarding the phone conference with Attorney Seymour.	0.20	28.00	RJS
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Sep-26-06	Preparation for and attend final Mediation Conference before Tom Cooper in Pgh. which included negotiations w/Michael Seymour and his insurance company reps and t/c w/Carolyn Shiver and Cleveland Geary.	6.00	960.00	TCL
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Preparation of correspondence to transmit to Carolyn Shiver and Cleveland Gary Re: Settlement Proposal	0.40	30.00	LC
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Sep-27-06	Preparation time on letter to Carolyn Shiver and Cleveland Gary regarding the offer being sent to the insurance carrier's committee.	0.20	28.00	RJS
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Review the language of the Kareem Vance	0.20	28.00	RJS
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judgment; phone conference with Tim Leventry regarding same.

Sep-29-06	Preparation time on letter to Carolyn Shiver regarding the a counteroffer to the insurance carrier.	0.30	42.00	RJS
	Totals	43.90	\$5,714.00	

DISBURSEMENTS

	\$Parking	9.00
	\$Turnpike Toll	6.50
Sep-26-06	\$Expense Item\$Mileage 150 @ 0.445	66.75
	Totals	\$82.25
	<b>Total Fee &amp; Disbursements</b>	<b>\$5,796.25</b>
	Previous Balance	21,416.00
	<b>Balance Now Due</b>	<b>\$27,212.25</b>

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National Indoor Football League  
600 Loire Avenue  
Lafayette, LA  
70507

December 14, 2006

**Attention:** Carolyn Shiver

File #: 01-214-01

Inv #: 11352

**RE:** Invoice/Retainer

DATE	DESCRIPTION	HOURS	AMOUNT	LAWYER
Oct-06-06	Preparation of Motion to Reset case before the Federal Court for trial.	0.20	32.00	TCL
Oct-09-06	Review Stipulation and court proceedings with respect to RPC's consent to liability, the choice of a mediator and the court's expectations for the case reopening; preparation time on Motion to Reopen the Case.	2.00	280.00	RJS
	Preparation time on correspondence with Cleveland Gary and Carolyn Shiver regarding placing the issue of damages before a jury.	0.20	28.00	RJS
Oct-10-06	Electronic filing of the Motion to Reopen the Case with the federal court.	0.20	28.00	RJS
Oct-13-06	Telephone call w/Michael Seymour regarding potential for arbitrating final issues versus jury trial.	0.40	64.00	TCL
Oct-19-06	Preparation time on correspondence to Cleveland and Carolyn analyzing the arbitration strategy.	0.40	56.00	RJS
Oct-20-06	Preparation time on analysis of costs of arbitration versus trial; review itemized legal fees claimed through the present; preparation time on correspondence with Cleveland and Carolyn regarding arbitration.	1.60	224.00	RJS

Oct-23-06	Telephone call w/Michael Seymour regarding arbitration.	0.20	32.00	TCL
	Phone conference with the scheduling clerk of Judge McVerry's chambers; phone conference with the law clerk with Judge McVerry's chambers; phone conference with Carolyn and Cleveland with regard to proceeding to aribitration and the benefits thereof; preparation time on letter to Attorney Guerriero regarding the Kareem Vance judgment; prepration time on correspondence with Paul Brown with regard to the unpaid bills for USA Medical.	2.00	280.00	RJS
Oct-24-06	Correspondence with Attorney Guerriero regarding Kareen Vance.	0.20	32.00	TCL
	Telephone call w/Paul Brown, Esquire, regarding William James.	0.20	32.00	TCL
	Preparation of Reply to Motion to limit trial issues.	0.30	48.00	TCL
	Phone conference with Judge McVerry's office regarding RPC's Motion to Limit Trial Issues; review RPC's Motion to Limit Trial Issues and review the Court Transcript relative the provisions applicable to RPC's Motion; preparation time on Reply to RPC's Motion to Limit Trial Issues; preparation time on exhibits for the Reply.	2.40	336.00	RJS
	Preparation for and electronic filing of Reply to RPC's Motion to Limit the Trial Issues.	0.30	42.00	RJS
Oct-26-06	Preparation time on trial matters; prepare for witness testimony; phone call with Judge McVerry's chambers.	2.00	280.00	RJS
Oct-27-06	Preparation of Motions in Limine for damages portion of trial.	1.00	160.00	TCL
	Phone conference with Judge McVerry's chambers regarding Monday meeting.	0.20	28.00	RJS
	Preparation time on Motions in Limine with respect to damages portion of trial including research and brief writing.	4.70	658.00	RJS

Oct-28-06	Preparation time on proposed orders with respect to the Motions in Limine; finish brief, edit Motions in Limine; preparation time on exhibits, electronic filing of same.	3.00	420.00	RJS
Oct-29-06	Preparation for trial; review exhibits; preparation time for meeting with Judge McVerry; correspondence to Attorney Seymour.	3.00	420.00	RJS
Oct-30-06	Preparation for and attend pretrial conference w/Judge McVerry in Federal Court in Pittsburgh including preliminary arguments on Motion in Limine. Court moved trial back due to complexities of outstanding Motions in Limine.	6.00	960.00	TCL
	Preparation for Pretrial Conference and opening argument.	1.00	160.00	TCL
	Attend pre-trial conference in Pittsburgh.	3.00	420.00	RJS
	Non-Billable Work: Attend pre-trial conference in Pittsburgh.	3.00	0.00	RJS
Oct-31-06	Preparation of correspondence to Account Control Bureau, Inc. Re: status of litigation	0.50	37.50	LC
Nov-01-06	Telephone call w/Cleveland Geary relative to Judge McVerry rulings on Monday at the Pretrial.	0.30	48.00	TCL
Nov-03-06	Preparation on Brief in Support of Motions in Limine; review 3rd Circuit case law with respect to raising issues that were not asserted in the Answer or other responsive pleadings.	1.20	168.00	RJS
Nov-06-06	Research cases regarding prejudice to the Plaintiff by the Defendants' failure to plead an affirmative defense in any of its prior pleadings; review case law with respect to pleading damage limitation provisions like a deductible; begin preparation of Brief in support of NIFL's Motions in Limine.	2.40	336.00	RJS
Nov-07-06	Phone conference with Brian Mills regarding the resolution of the case and his forbearance from taking any action.	0.20	28.00	RJS
	Review all pleadings and Dan D'Alio's deposition with respect to the pleading and/or	1.60	224.00	RJS

mention of any deductible assessed by the RPC against the NIFL, in preparation for the NIFL's Brief in Support its Motion in Limine.

Nov-08-06	Preparation of Plaintiff's Motion in Support of Motion in Limine relative to the damage portion of the Trial regarding RPC raising the issue of a deductible.	0.60	96.00	TCL
	Complete Brief in Support of the NIFL's Motions in Limine; prepartion time on Certificate of Service and electronic filing of same.	2.20	308.00	RJS
	FAX Plaintiff's Brief in Support of Motions in Limine with Respect to the Damages Portion of Trial, specifically in Regard to the Timelines of the Defendant RPC's Raising the Applicability of a Deductible to Attorney Seymour and Attorney Caputo	0.20	15.00	LC
Nov-09-06	Obtain from Federal Court and review Motions in Limine with Respect to the NIFL's Damages filed by RPC.	0.40	56.00	RJS
Nov-10-06	Review the three Motions in Limine documents filed by the Defendants on November 9, 2006.	0.40	64.00	TCL
Nov-15-06	Extensive review of case law in 3rd Circuit for purposes of opposing the Defendant's interpretation of the Service Agreement with respect to the limitation of damage provision; review cases with respect to the doctrine of ejusdem generis in contract interpretation.	3.00	420.00	RJS
	Begin preparation time on RPC's 3 Motions in Limine filed in Opposition to the NIFL's damage claim.	2.00	280.00	RJS
Nov-16-06	Review deposition testimony of Herf, Shiver, D'Alio and Blateri with regard to the relevant portions supporting our response to RPC's 3 Motions in Limine with Respect to the NIFL's damage claim (200 - 300 pages).	3.80	532.00	RJS
Nov-17-06	Preparation time on the Response to RPC's Motions in Limine; incorporation of relevant portions of deposition testimony; prepare exhibits necessary for the response.	2.80	392.00	RJS

	Preparation of Exhibits for Reply to the Defendant's Motions in Limine with Respect to Plaintiff's Damages to be filed with the Court	0.80	60.00	LC
Nov-20-06	Finalize Response to RPC's 3 Motion in Limine with respect to the NIFL's damage claim; review case citations; electronic filing of same.	1.20	168.00	RJS
	Preparation of Exhibits for Reply to the Defendant's Motions in Limine with Respect to Plaintiff's Damages for client and opposing counsel	0.90	67.50	LC
	Totals	62.00	<hr/> \$8,320.00	

## DISBURSEMENTS

Oct-10-06	UPS Overnight Letter	20.00
	UPS Overnight Letter	20.00
	UPS Overnight Letter	20.00
Oct-30-06	Parking in Pittsburgh.	13.00
	Mileage-150 miles to Federal Court in Pittsburgh @ \$.44.5 per mile.	105.50
	Totals	<hr/> \$178.50

<b>Total Fee &amp; Disbursements</b>	<hr/> <b>\$8,498.50</b>
Previous Balance	27,212.25
<b>Balance Now Due</b>	<hr/> <b>\$35,710.75</b>

***Leventry, Haschak, & Rodkey, LLC***

Attorneys At Law

1397 Eisenhower Boulevard  
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Johnstown, PA 15904

Ph: 814-266-1799

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National Indoor Football League  
600 Loire Avenue  
Lafayette, LA  
70507

February 5, 2007

**Attention:** Carolyn ShiverFile #: 01-214-01  
Inv #: 11564**RE:** Invoice/Retainer

DATE	DESCRIPTION	HOURS	AMOUNT	LAWYER
Dec-05-06	Review Court's docket sheet regarding the status of the case; preparation time on correspondence to Judge McVerry regarding the records the NIFL intends to introduce at trial for proving damages; review appropriate files to send to Judge McVerry.	1.90	266.00	RJS
Dec-11-06	Phone conference with Kareem Vance and preparation time on letter to him regarding the status of trial.	0.30	42.00	RJS
Dec-22-06	Phone conference with Kareem Vance regarding the court's decision on the Motions in Limine.	0.20	28.00	RJS
Dec-27-06	Phone conference with Judge McVerry's office regarding the decisions on the Motions in Limine.	0.20	28.00	RJS
Jan-11-07	Multiple phone conferences with Judge McVerry's chambers regarding the status the case.	0.40	56.00	RJS
Jan-12-07	Correspondence with Carolyn Shiver and Cleveland Gary regarding outstanding mediation conference invoice.	0.20	32.00	TCL
	Phone conference with former NIFL player regarding damage issues and the expected time for a decision.	0.20	28.00	RJS



Totals	3.40	\$480.00
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DISBURSEMENTS

Dec-05-06	West Law Research	22.57
Dec-27-06	West Law Research	108.63
Totals		\$131.20

Total Fee & Disbursements	\$611.20
Previous Balance	35,710.75
Balance Now Due	\$36,321.95

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Lafayette, LA  
70507

April 17, 2007

**Attention:** Carolyn Shiver

File #: 01-214-01

Inv #: 11988

**RE:** Invoice/Retainer

DATE	DESCRIPTION	HOURS	AMOUNT	LAWYER
Feb-02-07	Review Motions in Limine Orders and correspondence with Carolyn Shiver and Cleveland Gary regarding Order, telephone conference with Judge McVerry's Office regarding settlement conference.	1.00	160.00	TCL
	Meet with RJS and TCL Re: interpreting order and strategy for maximizing admissible bills.	0.30	45.00	JMH
	Review Order issued by Judge McVerry; review damage scenarios with respect to that Order.	1.00	140.00	RJS
	Review of records/preparation of spreadsheet regarding records sent to Attorney Seymour by March 13, 2006 and whether have any indication of employment-related injury	1.10	82.50	LC
Feb-06-07	Preparation time on the review of medical records and certifications in light of the Judge's Order on the Motions in Limine.	1.00	140.00	RJS
	Continued review of records/preparation of spreadsheet regarding records sent to Attorney Seymour by March 13, 2006 and whether they have an indication of employment-related injury	4.80	360.00	LC
Feb-07-07	Preparation of calculation regarding medical bills that would countable for damage	0.20	32.00	TCL

calculations based on rulings and Motions in Limine.

	Continued review of records/preparation of spreadsheet regarding records sent to Attorney Seymour by March 13, 2006 and whether they have an indication of employment-related injury	4.50	337.50	LC
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Feb-08-07	Preparation of and participate in settlement conference w/Michael Seymour.	0.90	144.00	TCL
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	Prepare for conference with Attorney Seymour; prepare analysis of large claims which have proper documentation and whose representatives are willing to testify.	2.00	290.00	RJS
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	Preparation time on format for spreadsheet for meeting/case conference with Judge McVerry showing each individual record that was sent to RPC, the date of injury, the information shown on each record illustrating that the injury is work related, the type of treatment as shown on each record and the amount of the provider bill shown on each record.	0.30	43.50	RJS
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	Review of records, dollar amounts, and determine whether same meets range regarding requesting medical providers' potential testimony	0.80	60.00	LC
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Feb-09-07	Review of records not sent by March 13, 2006 to be certified by witness to determine whether injury is work related	3.90	292.50	LC
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Feb-12-07	Continued review of records and preparation of spreadsheet of records not sent by March 13, 2006 to be certified by witness to determine whether injury is work related	5.00	375.00	LC
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Feb-13-07	Continued review of records and preparation of spreadsheet of records not sent by March 13, 2006 to be certified by witness to determine whether injury is work related	5.60	420.00	LC
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Feb-15-07	Preparation time on analysis of properly certified medical records with regard to the four factors raised in the Judge's 2-1-07 Order for purposes of introduction of the medical records at trial.	5.00	725.00	RJS
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	Continued review of records and preparation of spreadsheet of records not sent by March 13, 2006 to be certified by witness to determine whether injury is work related	4.20	315.00	LC
Feb-16-07	Phone conference with Cleveland Gary regarding the Judge's 2-1-07 Order.	0.20	29.00	RJS
	Preparation time on very detailed spreadsheet showing each certified medical record and containing a description and/or quote from each medical record in regard to the following factors: (1) date of the player's injury; (2) whether the medical record has information so show the injury is work related; (3) the specific treatment provided to the player and (4) the amount owed to the provider.	4.90	710.50	RJS
	Revision of spreadsheet of records certified by March 13, 2006 to denote specifics of the job-related injury, where on form the indication is made, what injury is, injury date, and provider.	5.20	390.00	LC
Feb-19-07	Continue preparation time on analysis of each certified medical record from each provider and determine the medical record's compliance with the Court's 2-1-07 Order; compile spreadsheet regarding same.	4.10	594.50	RJS
	Continued revision of spreadsheet of records certified by March 13, 2006 to denote specifics of the job-related injury, where on the form indication is made, what injury is, injury date, and provider.	4.60	345.00	LC
Feb-20-07	Preparation time on spreadsheet of judgment's that are part of the NIFL's damages; continue compilation of spreadsheet showing all certified medical records and their compliance with the Court's 2-1-07 Order.	2.80	406.00	RJS
	Research Ohio case law with respect to the applicability of and date prejudgment interest begins, with respect to the Court's discretion in imposing it; with respect to the simple versus compound interest calculation and with respect to court costs and attorney fees being subject to interest.	1.80	261.00	RJS

	Continued revision of spreadsheet of records certified by March 13, 2006 to denote specifics of the job-related injury, where on the form indication is made, what injury is, injury date, and provider.	5.10	382.50	LC
Feb-21-07	Preparation of correspondence to Michael Seymour regarding his position regarding medicals.	0.20	33.00	TCL
	Meeting with Attorney Leventry and Attorney Sedlak regarding pretrial conference.	0.25	36.25	FF
	Preparation time on summary of NIFL's damages; compile list of exhibits needed to prove damages.	4.70	681.50	RJS
	Continued revision of spreadsheet of records certified by March 13, 2006 to denote specifics of the job-related injury, where on the form indication is made, what injury is, injury date, and provider.	4.20	315.00	LC
Feb-22-07	Prepare spreadsheet of NIFL's damages excluding the three (3) teams in question and the providers whose claim does meet the nine thousand dollar threshold.	3.80	551.00	RJS
	Phone conference with Cleveland Gary and Carolyn Shiver regarding the NIFL's damage calculations pursuant to the Court's 2-1-07 Order.	0.50	72.50	RJS
Feb-23-07	Preparation of Pretrial Settlement package proposal.	0.50	82.50	TCL
	Final review of packet of information to be sent to Attorney Seymour and Judge McVerry; preparation time on letter to Attorney Seymour.	2.00	290.00	RJS
	Preparation of NIFL's Damage Calculations and related attachments to be sent to Attorney Seymour and client, to be used at pre-trial conference	2.50	187.50	LC
Feb-26-07	Phone conference with Attorney Seymour regarding the meeting with Judge McVerry.	0.20	29.00	RJS
	Preparation of NIFL's Damage Calculations and related attachments to be used by	2.90	217.50	LC

Attorneys Sedlak and Fordham, and a copy to be provided to Judge McVerry to be used at pre-trial conference

Feb-27-07	Review damage information for pretrial conference.	1.00	145.00	FF
Feb-28-07	Meeting with Attorney Sedlak; Conference call with Attorney Leventry regarding pretrial conference.	0.50	72.50	FF
	Strategy meeting and phone conference with Attorney Leventry and Attorney Fordham regarding the meeting with Judge McVerry on 3-1-07.	1.00	145.00	RJS
	Prepare for 2-1 meeting with Judge McVerry; review prior Motions and assemble exhibits.	1.20	174.00	RJS
Mar-01-07	Travel to/from Federal District Court in Pittsburgh; Attend Pretrial Conference; Meeting with Attorney Michael Seymour regarding damages and evidence for use at trial.	7.00	1,015.00	FF
	Attend meeting in Pittsburgh with Judge McVerry regarding the issues for trial; meeting Attorney Seymour at his office regarding packet of information with respect to the NIFL's damages.	7.00	1,015.00	RJS
Mar-02-07	Conference call with Judge McVerry, Michael Seymour, Esquire and Ryan Sedlak, Esquire	0.40	58.00	FF
	Prepare for and participate in phone conference with Judge McVerry regarding the trial date and regarding the matters to be decided in Motions before trial.	0.40	58.00	RJS
	Preparation of contact information for uncertified medical providers regarding testifying at trial to certify medical records	1.20	90.00	LC
Mar-08-07	Phone conference with Brian Mills regarding the trial date in mid-May, 2007.	0.20	29.00	RJS
	Phone conference with Kareem Vance regarding the trial date in mid-May, 2007 and his testimony.	0.20	29.00	RJS
Mar-09-07	Preparation time on the Sixth Motion in	3.80	551.00	RJS

Limine concerning the documents permitted to be introduced at trial and concerning the Court instructing the factfinder to take all permissable inferences from same in order to decide damages; review 3rd Circuit (federal) case law supporting the NIFL's position concerning the proof offered at trial.

Mar-11-07	Preparation time on the Seventh Motion in Limine concerning the NIFL's entitlement to interest; review Ohio case law concerning the non-discretionary nature of interest; review Ohio case law refuting the Defendant's argument that the NIFL is not entitled to prejudgment interest on the medical providers bills that they did not pay; review and cite previous Court orders supporting the NIFL's position.	4.30	623.50	RJS
Mar-12-07	Complete Motion in Limine with respect to Attorney's fees; editing of same, prepare exhibits and proposed order.	5.00	725.00	RJS
	Electronic filing of the Motion in Limine with respect to Attorney's Fees; preparation time on correspondence to Attorney Seymour.	1.00	145.00	RJS
Mar-21-07	Phone conference with Cleveland Gary regarding the trial scheduled for the third week of May.	0.40	58.00	RJS
Mar-23-07	Phone conference with Attorney Guierro regarding his client's participation at trial.	0.40	58.00	RJS
	Phone conference with Kareem Vance regarding his claims and participation at trial and regarding his attorney, Attorney Guierro.	0.30	43.50	RJS
Mar-29-07	Review Motion in Limine filed by RPC and review RPC's response to the NIFL's 6th Motion in Limine.	0.30	43.50	RJS
	Totals	127.65	\$14,654.25	

## DISBURSEMENTS

Mar-16-07	West Law Research	98.78
	Totals	\$98.78

<b>Total Fee &amp; Disbursements</b>	<b>\$14,753.03</b>
Previous Balance	36,321.95
<b>Balance Now Due</b>	<b>\$51,074.98</b>



**FOR EDUCATIONAL USE ONLY**

Not Reported in N.E.2d, 2000 WL 33964087 (Ohio Com.Pl.)

Only the Westlaw citation is currently available.

CHECK OHIO SUPREME COURT RULES FOR REPORTING OF OPINIONS AND WEIGHT OF LEGAL AUTHORITY.

Court of Common Pleas of Ohio.  
Merle GILL, et al, Plaintiffs,  
v.  
SAFARI MOTOR COACHES, INC., ET AL, defendants.  
No. CV 97 01 1013.  
July 26, 2000.

**JUDGMENT ENTRY**

LAWTHER.

**\*1** This cause came on for oral hearing upon Plaintiff's Motion for **Attorney Fees** following a verdict for Plaintiffs v. Defendant Safari on January 25, 2000 in the sum of \$226,252.33. Plaintiffs had sued Safari and Tom Raper, Inc., being the manufacturer and dealer of motor homes, for violation of the Ohio Lemon Law and the Ohio Sales Practice Act. Before trial, Plaintiffs withdrew their Lemon Law claim against Raper and obtained a verdict against Raper under the OSPA in the sum of \$1,600, which was trebled by the Court in accordance with R.C. 1345.09(B). Raper was therefore not involved in the motion for **attorney fees**.

Under the Lemon Law statute, Plaintiffs are entitled to reasonable **attorney fees** to be determined by the Court. Plaintiffs filed a motion against Safari for **attorney fees** and at the time of the hearing on June 28, 2000 stated that the fees to date amounted to \$294,526.25, plus expenses in the sum of \$21,223.06, for a total claim of \$315,749.31.

Plaintiffs' witnesses included Gary Himmel, Esq., an Akron attorney who testified as an expert with respect to the value of the services rendered. Mr. Himmel has twenty years' experience in the practice of law and stated that the range of fees in the Akron area is from \$90 to \$290 per hour, that he had reviewed the "paper work" in the case, and felt that Plaintiffs' forty-six pages of time records supporting their request for fees was reasonable.

Plaintiffs' next witness was Ronald Burdge, Esq., a Dayton attorney with extensive experience and success in Lemon Law cases, having handled over 4000 claims resulting in "seven or eight" trials. He stated that this case was more difficult than others because there were "so many" defense attorneys involved, many motions in limine, and unusual issues such as the jurisdictional issue which was not raised "until the eve of trial"; that Lemon Law cases are more difficult than other cases because they are so challenging, and because "you must do everything right"; that manufacturers are frequently family businesses that take claims personally, and "fight vigorously".

Mr. Burdge stated that there should be a 10% reduction in fees for work done that was not related to the Lemon Law claim, and a 20% increase as an "enhancement factor" in accordance with Bittner v. Tri-County Toyota, Inc., (1991), 58 Ohio St. 3rd, 143, a landmark case in which he was involved. He further stated that it is "usual" in Lemon Law cases to request **attorney fees** amounting to 150% of the value of the vehicle.

Plaintiffs' attorney, Laura McDowall, introduced her law firm's time records (Ex. 2) and stated that when the case began, the **hourly rate** for her and Dean Young was \$175 per hour, but was increased to \$200 per hour on Jan. 1, 1999. The list of itemized expenses is Ex. 3. She then discussed the

undated Agreement for Professional Service (Ex. 4) providing for the payment of fees in the alternative. The clients were to pay the greater of (1) a fee calculated on **hourly rates**, or (2) one-third of the amount recovered. She didn't know if the clients had been notified in January, 1999 that the **hourly rates** were being increased, but stated that they signed Ex. 5 "last week" confirming that fees had been increased then.

Ms. McDowall testified that she had been admitted to the Bar in 1987, had handled over 100 Lemon Law cases, but that this was only her third Lemon Law trial because "they usually settle". The Court questioned her extensively about her apparent feelings that she should receive enhanced fees because of all the "trouble" she had been caused by Defense counsel. Her motion brief, page 4, complained about Defendants' numerous motions and "obstructive tactics", and that they had "fought Plaintiffs at every opportunity and escalated the cost of this litigation". She denied, however, that Defense counsel had acted improperly or unprofessionally.

**\*2** It is true that any complicated case with numerous defendants and many experts presents a difficult task for plaintiffs. But while no defendant should be penalized because of its desire to mount a full and thoroughly professional defense, it must realize that a consumer case affords special protection to plaintiffs. In *McGowan v. King*, 661 F.2d 48 (1981) the Court stated:

"Although defendants are not required to yield an inch or to pay a dime not due, they may by militant resistance increase exertions required of their opponents and thus, if unsuccessful, be required to bear that cost."

The experts produced by the Defense in this case left a lot to be desired. David Utley Esq. testified that he has practiced law since 1987 and has tried about 20 cases. He stated that reasonable fees in the Akron area range from \$100 to \$150 per hour and that \$200 per hour for Ms. McDowall would be "too high". He was not very familiar with what had been done in this case, but did pick out several items in the time records as being unrealistic ("35 hours to research jurisdiction, 70 hours to prepare a chronology, and 170 hours to prepare jury instructions"). While the Court might well understand his suspicions, he failed to justify them in expert fashion. He opined that reasonable fees in this case would be in the range of \$40,000 to \$60,000, but provided no analysis of the work done to justify this conclusion.

Defendant's other expert witness on fees was Annette Biesecker, Executive Vice President of Accountability Services, Inc., Indianapolis, Indiana. She was admitted to the New York Bar in 1980, but has never really practiced law. She refers to herself as a Legal Auditor and Cost Control Consultant since 1991, and provides a service of reviewing fee bills and advising the clients as to their reasonableness. For this service she charges 1 1/2% of the fee bill, and it is apparent that her role is to get the fee reduced. She has developed a methodology of assigning a computer code to each entry on a fee bill, entering these codes into a computer program, and then determining duplications, or other problems. Unfortunately, however, she also substitutes her judgment for that of the lawyers in the case, on a purely subjective basis.

Ms. Biesecker thus seeks to "second guess" the attorneys who prepared the bills, but failed to demonstrate any background or training that would justify her claim to expertise in analyzing another lawyer's fee bill. She has testified in court on two previous occasions, and in one of those cases cited by Plaintiffs, her opinions were rejected by the Court. ( *U.S. ex rel Doe v. Pennsylvania Blue Shield*, 53 F.Supp.2d 410) (1999).

Without unduly burdening this opinion, a few examples are of interest. In reviewing the fee bill, she excluded any work done on the claim of emotional damages based on her belief that they "never are considered in a Lemon Law case." Where she found an entry not sufficiently detailed for her analysis, she simply deducted it. She arbitrarily assigned 1/2 hour to any letter, and 1/4 hour to any telephone call. She rejected many items as being "too vague, or unclear". She concluded that "no one can work ten hours in one day effectively", so she reduced fees for ten hour days to something less.

**\*3** To award **attorney fees**, the trial court must first determine the **lodestar** amount by determining the time reasonably expended on the case by members of the firm, and then applying reasonable

hourly fees. Plaintiffs' law firm submitted 48 pages of itemized services performed by four principals and a law clerk and listed 1846.13 hours devoted to this case. Defendant's expert attempted to analyze each item to determine its reasonableness, and to set forth reasons for concluding that some items had been padded. It can certainly be argued that two partners did not need to attend depositions in Oregon and that the amount of time spent on jury instructions was excessive.

Plaintiff's Post Hearing Brief states "The evidence is undisputed that the itemized fee statement submitted by Counsel reflect less than the actual number hours expended". Anyone reviewing the fee statements, however, would find that comment surprising. The evidence with respect to necessary hours expended was hotly disputed. It may be assumed that the experience of Plaintiffs' Counsel in Lemon Law cases led them to believe that the dispute over **attorney fees** might eventually be as vigorous as the battle over liability.

However these **factors** do not mean that the time was not devoted, or the services rendered, and this Court declines to arbitrarily assume that work allegedly done on a particular day did not, in fact, take place.

This Court does have a problem, however, with block billing. Nearly 100 hours can be attributed to tasks that were lumped together on various dates, making it impossible to evaluate these entries properly.

The Court does take issue, moreover, with the **hourly rates** applied. When the case began, the following fee schedule was explained to Plaintiffs:

TABULAR OR GRAPHIC MATERIAL SET AT THIS POINT IS NOT DISPLAYABLE Counsel presented Ex. 4 purporting to be an "agreement" between them and Plaintiffs made when Counsel were hired in 1996. The document, however, is not dated, nor is it signed by Counsel. It sets forth **attorney fees** based on the above schedule, or in the alternative, one-third of the total amount recovered, "whichever is greater". Attorney McDowall testified that the firm's rates were increased on Jan. 1, 1999, but that she did not recall if Plaintiffs had been notified. In order to rectify the matter, she asked Plaintiffs to sign Ex. 5 "about a week before the fee hearing" confirming the increase in fees as on Jan. 1, 1999. She also told the Court that on the basis of that unsigned and undated "contract", Plaintiffs would be liable for any fees in excess of those awarded by the Court. This Court specifically disagrees, and believes that the fees to be determined by the Court in accordance with statute represent the total fees to be paid to Counsel, notwithstanding Exhibits 4 and 5 which Counsel refer to as "contracts" with their clients. Any other interpretation of the statute would be unconscionable.

The Court has considerable discretion in the award of **attorney fees**, and on the basis of the evidence and the Court's own knowledge of attorney fee schedules in the northern Ohio area, finds that the rates quoted in Ex. 4 are reasonable and appropriate for the efforts expended in this case. The Court further finds, however, that the attempt to increase the **hourly rate** prior to trial was improper and unjustified. The Court's award of fees, therefore, is based on the schedule in Ex. 4.

**\*4** The major issue in Plaintiff's application for fees arises out of the fact that the request for fees amounts to far more than the amount of the original judgment, while in contingent fee cases fees are based on a percentage of the recovery. The Lemon Law, however, is a creature of the Legislature designed to give special protection to consumers who may have a valid claim, but cannot afford to pay counsel for the disproportionate time and effort that may be required to prevail. The Ohio law in this matter was established in the Bittner case, (supra). In that case, a small claim that resulted in eight months of protracted negotiations was finally settled just before trial. Defendant agreed to pay \$3500 and to have the Court determine the amount of **attorney fees** as required by statute. Bittner's attorneys requested over \$10,000 in fees, plus expenses citing the massive effort required to reach a settlement. The Court agreed that the amount of the judgment did not determine the amount of fees since the act was designed "to assure that consumers will recover any damages caused by (deceptive) acts and practices, and to eliminate any monetary incentives for suppliers to engage in such acts and practices." The Court cited a U.S. Supreme Court Case which held that "a rule of proportionality would make it difficult, if not impossible, for individuals with meritorious \* \* \* claims but relative small potential damages to obtain redress from the courts." (*Riverside v. Rivera*, 477

U.S. 561, 106 S.Ct. 2686, 91 L.Ed.2d 466 (1986)).

The Bittner decision supports the award of substantial **attorney fees** in difficult cases in which plaintiffs could not otherwise afford to hire counsel. Bittner holds that in order to properly compensate attorneys who must devote far more effort to a consumer case than might be compensated by the usual contingent fee agreement, the Court may modify its calculation by the application of the **factors** listed in DR2-106(B): the time and labor involved, the novelty and difficulty of the questions involved, the professional skill required, the attorney's inability to accept other cases, the fee customarily charged, the amount involved and the results obtained, necessary time limitations, the nature of the attorney/client relationship, the experience, reputation and ability of the attorney, and whether the fee is fixed or contingent.

Counsel testified as to each of the above **factors**, and the Court has considered them carefully in order to determine that a fee actually in excess of the judgment obtained is justified in this case. In their original motion for fees Counsel did not request an “enhancement” above and beyond the time/rate formula, but the expert, Attorney Burdge opined that the fees requested should be deducted by 10% for work not related to the claim against Safari (which Counsel has since done) and should then be “enhanced” by 20% because of the **factors** cited in the Bittner case. He gave no particular reasons for suggesting the figure of 20%. The Court, however, notes that the Bittner decision did not mention the word “enhancement” but used the **lodestar** method to justify a fee far in excess of a very small settlement. The Court in this case feels that the Bittner **factors** do supply the rational for granting a fee based upon the hours devoted to the case and amounting to substantially more than the verdict. However, the Court rejects Mr. Burdge’s suggestion that any *additional enhancement* is necessary or justified:

*Pennsylvania v. Delaware Valley*, 478 U.S. 546, 106 S.Ct. 3088, 92 L.Ed.2d 439 (1966):

**\*5** “The **lodestar** figure includes most, if not all, of the relevant **factors** constituting a ‘reasonable’ attorneys’ fee, and it is unnecessary to enhance the fee for superior performance in order to serve the statutory purpose of enabling plaintiffs to secure legal assistance.”

The Court finds that Plaintiffs have presented sufficient evidence to support the time records contained in Pltfs. Ex. 1, but declines to apply an increased **hourly rate** to time devoted after January 1, 1999. The Court has therefore revised the fees as indicated on the following page.

TABULAR OR GRAPHIC MATERIAL SET AT THIS POINT IS NOT DISPLAYABLE The Court has also reviewed the list of Itemized Expenses submitted on Plaintiff's Exhibit 3 in the sum of \$21,223.06 and finds them to be reasonable and proper.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that Defendant Safari Motor Coaches, Inc. pay **attorney fees** to the firm of Young and McDowall in the sum of Two Hundred Seventy thousand, eight hundred forty-two dollars and fifty cents, (\$270,842.50) plus expenses in the sum of Twenty-one thousand, two hundred twenty-three dollars and six cents (\$21,223.06), and the costs of this motion.

Ohio Com.Pl.,2000.

Gill v. Safari Motor Coaches, Inc.

Not Reported in N.E.2d, 2000 WL 33964087 (Ohio Com.Pl.)

END OF DOCUMENT

***Leventry, Haschak, & Rodkey, LLC***

Attorneys At Law

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Ph: 814-266-1799

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National Indoor Football League  
 600 Loire Avenue  
 Lafayette, LA  
 70507

August 15, 2007

**Attention:** Carolyn Shiver

File #: 01-214-01

Inv #: 12760

**RE:** Invoice/Retainer

DATE	DESCRIPTION	HOURS	AMOUNT	LAWYER
Apr-02-07	Modification of spreadsheet to be used as the basis of a mail merge document to include individual dollar amounts for Trial Exhibit	1.90	142.50	LC
Apr-03-07	Preparation of correspondence regarding medical providers testimony at trial.	0.20	33.00	TCL
	Preparation time on Reply to RPC's Motion in Limine With Respect to the Admission of HCFA Forms Alone; review prior Motions in Limine, Orders and Correspondence between the parties related to the use of HCFA forms alone.	3.70	536.50	RJS
	Review providers that must be brought to Pittsburgh for Trial; preparation time on correspondence with the providers regarding same.	1.00	145.00	RJS
	Preparation of correspondences to providers for mail merge by assigning various merge fields to document; preparation of letters to providers with required fields filled	1.20	90.00	LC
Apr-04-07	Research Federal Case Law with respect to raising twice the same Motion in Limine Issue; preparation time on Reply to to RPC's Motion in Limine with Respect to the Introduction of HCFA forms alone.	4.30	623.50	RJS



	Review the Department of Health and Human Services instructions for completing HCFA 1450 forms for purposes of proving the codes for each HCFA 1450 at trial.	1.00	145.00	RJS
	Preparation of correspondences for mailing to providers and to client	0.50	37.50	LC
Apr-05-07	Preparation of Plaintiff's Reply to the Defendant's Motion in Limine.	0.50	82.50	TCL
	Research federal case law with respect to Judicial Notice of medical texts and with respect to the admission of documents produced by federal agencies.	2.00	290.00	RJS
	Research background of HCFA 1450 as contingency for any inquiries from opposing counsel regarding whether codes have same meaning for 2001 forms as they do for present forms	1.30	97.50	LC
Apr-06-07	Preparation time on Exhibits to the Reply to RPC's Motion concerning the HCFA's; review case citations; final editing of Reply to Motion; and electronic filing of the Reply to the Motion with federal court.	2.50	362.50	RJS
Apr-09-07	Correspondence with Mike Seymour and Bernard Caputo regarding RPC's Motion; preparation time on packet for same.	0.30	43.50	RJS
	Internet search for correct address of the Medical Center since letter was returned; preparation of first sheet to correspond with correct address	0.80	60.00	LC
Apr-10-07	Phone conference with Carolyn Shiver regarding the letters sent to providers; review certified records in light of conversation with Carolyn Shiver.	1.00	145.00	RJS
Apr-18-07	Responded to/documented responses from two providers regarding correspondence requesting personal certification of records at May trial	0.30	22.50	LC
Apr-19-07	Responded to/documented call from another medical provider regarding correspondence pertaining to personally certifying medical records at trial in May	0.20	15.00	LC

Apr-23-07	Responded to/document medical provider response to correspondence	0.10	7.50	LC
Apr-24-07	Internet search of phone numbers of medical providers who have not responded to correspondences to contact them	0.80	60.00	LC
Apr-25-07	Phone conferences with various providers to discuss their testimony and the Court's schedule for trial. The providers include: Bienville Orthopedic Specialists (Susan Legrand), US Medical Center (Teresa Englestead), Health South Holdings; Medical Center of Beaver (Lori Lang), Alabama Orthopaedics (Dean Brown) and St. Vincent Healthcare (Carol Turbes).	2.30	333.50	RJS
May-01-07	Preparation time on letter to UPMC concerning their cooperation at trial; Phone conference with several providers concerning their testimony concerning Sunbelt Rehabilitation (Stacy), St. Lukes Regional Medical Center and another phone call to Alabama Orthopaedics. Review documentation sent by Sunbelt Rehabilitation concerning their Certification and medical records.	2.10	304.50	RJS
May-04-07	Telephone call w/Judge McVerry's office regarding scheduling of trial date (2) calls.	0.40	66.00	TCL
	Correspondence with Michael J. Seymour regarding stipulation to witnesses for certification of records filed after March 13.	0.20	33.00	TCL
	Continued research of HCFA 1450 codes for 2000/2001 as they relate to employment related injuries	1.20	90.00	LC
May-07-07	Review Order from Judge McVerry regarding 6th Motion in Limine.	0.20	33.00	TCL
	Review Trial Schedule Order from Judge McVerry.	0.20	33.00	TCL
	Preparation of trial regarding Exhibits.	0.50	80.00	TL
	Review both the Judge's Orders with respect to the Sixth Motions in Limine and with respect to introducing HCFA forms alone; review	0.50	72.50	RJS

Court's Order with respect to trial procedures and documents to be filed before trial; make notes and develop plan to complete same.

Participate in meeting to plan strategy to for the NIFL trial and meeting the terms of the Pretrial Order.	0.40	58.00	RJS
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Prepare letter to Seymour regarding provider witnesses at trial; prepare plan of exhibits to use at trial; review documentation with respect to the Southern Oregon Heat and Bayou Beast.	2.40	348.00	RJS
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May-08-07	Telephone call w/Michael Seymour to discuss stipulations and potential for company's waiver of parties coming into Pgh to testify and to permit certifications.	0.80	128.00	TL
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Preparation of correspondence to Carolyn Shiver and to medical centers who have timely submitted certifications.	0.40	64.00	TL
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Review and assemble players contracts for anticipated use at trial; update spreadsheets for the certified providers to include providers such as Sunbelt Rehabilitation; phone conference of Dean Brown of Alabama Orthopedics.	3.00	435.00	RJS
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May-10-07	Preparation of and participate in conference w/Michael Seymour regarding stipulations, joint exhibits, settlement, etc.	0.40	66.00	TCL
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Prepare letter to Michael Seymour regarding the Stipulation for Trial.	0.20	29.00	RJS
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Prepare NIFL's Pretrial Statement for the Damages Trial including the relevant Procedural History, Factual Statement, Witness List and Exhibit List for Trial; prepare letter to the providers instructing them that their cooperation is needed otherwise the opportunity to participate in the trial will pass.	5.20	754.00	RJS
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May-11-07	Preparation of Pretrial Narrative w/respect to the damage portion of the trial.	0.70	115.50	TCL
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Legal research Re: admissibility of faxes, Meet with TCL and RJS Re: strategy for admissibility of certificates	0.80	128.00	JMH
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Complete the NIFL's Pre-Trial Statement including the Witness List and Exhibit List; begin assembling various exhibits for trial including the Federal HHS Medicare/Medicaid Codes, Judgment information for the various players, and proof required to show the NIFL's attorneys fees and other expenses.	6.00	870.00	RJS
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Preparation time for letters written in 2005 to providers regarding certification of records to include with certified records	1.90	142.50	LC
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May-12-07	Prepare the Stipulation between RPC and the NIFL with regard to the 11 providers with certifications are dated after March 13, 2006, who RPC has agreed to allow introduced in lieu of a foundation witness appearing at court; final editing of the NIFL's Pretrial Statement; prepare the NIFL's Questions of Law and Questions of Fact to comply with the Court's May 4, 2007 Order and editing of same. Prepare trial exhibits for delivery to Attorney Seymour; review hundreds of files to determine accuracy to send them to Attorney Seymour.	9.00	1,305.00	RJS
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May-13-07	Compare all player and provider records to be provided to the Court to determine their accuracy and ability to be cross-referenced to the damages spreadsheets prepared for trial. Continue to assemble final documents and exhibits for the exchange to Attorney Seymour.	7.00	1,015.00	RJS
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May-14-07	Travel to Pittsburgh and meeting with Judge McVerry's clerk regarding trial exhibits; delivery of same to Judge McVerry and to Attorney Seymour to comply with the Court's May 4, 2007 Order.	4.00	580.00	RJS
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Final review of the Exhibits to be provided to the Court to prove the damages due to the NIFL; preparation time on correspondence with Michael Seymour regarding the Stipulation; completion of changes to the Stipulation per Michael Seymour's phone instructions; preparation of pre-trial documents for filing in federal court; electronic filing of the NIFL's Pretrial Statement, Proposed Findings of Fact/Law and the Stipulation	2.20	319.00	RJS
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between the parties involving stipulation to the introduction of certain certifications dated after March 13, 2006.

Preparation of additional exhibits to be included in trial exhibit packets; preparation of trial exhibit packets for Attorney Seymour and Judge McVerry; assist Attorney Sedlak with delivery of trial exhibit packets to Attorney Seymour and Judge McVerry	6.50	487.50	LC
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May-15-07	Begin preparation of trial exhibits for Attorneys Leventry and Sedlak, client, and witness for May 21st to 24th trial	7.10	532.50	LC
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May-16-07	Obtain and review RPC's Witness and Exhibit List; begin to develop plan for testimony of Carolyn Shiver and several provider witnesses; various phone conferences with the providers to answer questions about testimony including Dean Brown of Alabama Orthopedics, Carol Turbes of St. Vincent Healthcare, Faye Butler of Bienville Orthopedic Specialists and Bienville Orthopedic Rehabilitation, and Attorney Paul Brown of USA Medical Center.	3.20	464.00	RJS
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Continued preparation of trial exhibits for Attorneys Leventry and Sedlak, client, and witness for May 21st to 24th trial	7.50	562.50	LC
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May-17-07	Two phone conferences with Carolyn Shiver regarding the items she must gather for trial and the anticipated length and order of testimony; preparation time on letter to Michael Seymour regarding the Defendants' witnesses at trial.	0.50	72.50	RJS
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Preparation time on letter to Stacy Farlow at Sunbelt Rehabilitation regarding their option to testify or rely upon the Certification dated in December of 2005; Multiple phone conferences with providers to discuss the impact of the Defendant's Stipulation on their attendance at trial to present testimony regarding the business records. The phone conferences include calls with Attorney Paul Brown who represents USA Medical Center, Joan at HealthSouth Holdings, Tony Palazzo the Executive Director of Bienville Orthopedic Specialists and Bienville Orthopedic	3.60	522.00	RJS
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Rehabilitation, and Carol Turbes of St. Vincent Healthcare.

	Continued preparation of trial exhibits for Attorneys Leventry and Sedlak, client, and witness for May 21st to 24th trial	7.40	555.00	LC
May-18-07	Preparation of questioning for Carolyn Shiver, including preparation of Exhibits.	4.00	660.00	TCL
	Preparation of questioning for Carolyn Shiver, including preparation of Exhibits.	4.00	660.00	TCL
	Assist in preparation for trial including research and discussion on strategies for admitting medical records in to evidence, strategies to deal with objections, admissibility of Defendant exhibits absent providing copies and offer of proof relative to witness on Defendant's list.	1.40	224.00	JMH
	Review Kareem Vance's judgment; review Judge McVerry's 2-1-07 Order regarding same; Phone conference with Kareem Vance to discuss his attendance at trial and the use of his testimony to support the information contained in the Judgment.	0.30	43.50	RJS
	Attend strategy meeting regarding the admission of evidence; calculation of the NIFL's total damages based upon various proof and admission scenarios; continue to review and compile list of issues which may be raised by the Defense with respect to various records; phone conference with Kareem Vance regarding his participation in trial; preparation time on letter to Attorney Seymour regarding the exhibits.	6.70	1,038.50	RJS
	Finishing preparations of trial exhibits for Attorneys Leventry and Sedlak, client, and witness for May 21st to 24th trial	9.70	727.50	LC
May-19-07	Re: trial preparation time and review of exhibits and preparation of exhibits; interest calculation and testimony as well as exhibits relative to the three (3) teams that are claimed by the defense to not be included in coverage.	3.00	495.00	TCL
	Preparation for trial; calculation of all damages without the three (3) teams in question; review	7.40	1,147.00	RJS

and produce list of issues with the records which may be raised by the Defense; begin preparation on trial notebook with the relevant documents needed for trial; help in the preparation of the trial exhibits.

May-20-07	Re: travel to Pittsburgh in preparation for NIFL trial and preparation time for NIFL trial scheduled for the week of May21,2007.	4.00	660.00	TCL
	Complete the assembly of witness documentation; complete the trial notebook; perform interest calculations assuming the three (3) teams in question are removed; travel to Pittsburgh for trial.	6.50	1,007.50	RJS
May-21-07	Preparation of and attend trial before Judge McVerry, including pretrial and posttrial preparation.	8.00	1,320.00	TCL
	Attend trial in Pittsburgh before Judge McVerry; meet with witnesses; prepare draft settlement agreement with respect to the insurance company assuming payment for the outstanding medical bills.	9.00	1,395.00	RJS
May-22-07	Preparation of and attend trial before Judge McVerry, including pretrial and posttrial preparation.	8.00	1,320.00	TCL
	Attend trial in Pittsburgh before Judge McVerry; review various documents and medical records in preparation for the next day's trial work.	8.50	1,317.50	RJS
May-23-07	Preparation of and attend trial before Judge McVerry, including pretrial and posttrial preparation.	8.00	1,320.00	TCL
	Attend trial in Pittsburgh before Judge McVerry; meeting with Carolyn Shiver to prepare for the next day; research the court's judicial notice of government websites; obtain corporate registration information for Health System Enterprises from the Nebraska Secretary of State.	9.30	1,441.50	RJS
May-24-07	Preparation of and attend trial before Judge McVerry in Pittsburgh.	9.50	1,567.50	TCL

Invoice #:

12760

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August 15, 2007

	Complete trial in Pittsburgh before Judge McVerry.	9.50	1,472.50	RJS
May-25-07	Phone conference with Paul Brown to give him an update as to trial and the admission of USA Medical's invoices and HCFA forms.	0.20	31.00	RJS
	Phone conference with Kareem Vance regarding the admission of his judgment at trial.	0.20	31.00	RJS
May-29-07	Preparation of spreadsheet calculation of Agreed Order of Damages.	0.50	82.50	TCL
	Review notes from the trial with Judge McVerry; Revise the NIFL's spreadsheets to reflect the agreed records and the records admitted pursuant to the Court's various rulings.	1.20	186.00	RJS
	Phone conference with Dean Brown from Alabama Orothopedic with respect to the admission of Alabama Orthopedic's records at trial.	0.20	31.00	RJS
	Phone conference with Tony Palazzo regarding the results of trial and the timetable for the final resolution of the case.	0.20	31.00	RJS
May-30-07	Telephone call w/Wyoming Calvary regarding suit.	0.20	34.00	TCL
	Telephone conference with Carolyn Shiver to discuss her records with respect to Lousiana Physical Therapy and with respect to the unpaid premium payment; discuss the Court's final resolution of the case.	0.50	77.50	RJS
	Review the Court's Order with respect to the final matters to the determined; revise and recalculate the NIFL's interest with respect to the records admitted into evidence; review various records to determine estimate of the average date of the generation of the record (for purposes of calculating interest).	1.30	201.50	RJS
May-31-07	Preparation time between May 14, 2007 and May 25, 2007 on the assembly and binding of six (6) exhibit packets for the NIFL trial (for the Court, the Defense, Witnesses and two	29.50	1,475.00	MBK

Plaintiff's Attorneys), each including 70 exhibits and approximately 4000 pages.

Jun-01-07	Preparation of plan as revised pursuant to the Court's Ruling.	0.50	85.00	TCL
	Review correspondence from Thomas Cooper, mediator, and c/w Attorney Cooper regarding same.	0.30	51.00	TCL
	Preparation time on petition to accompany revised Exhibit 41-(Spreadsheets of medical records); preparation time on exhibits to accompany the Petition; editing of same; preparation of all documents for electronic filing in federal court; electronic filing of same.	2.30	356.50	RJS
Jun-05-07	Email correspondence with Attorney Caputo regarding the revised Exhibit Forty One.	0.20	31.00	RJS
Jun-06-07	Review Ohio case law with respect to interest (prejudgment), preparation time on Brief regarding the accrual date of interest; review brief submitted by the Defendant regarding same.	2.80	434.00	RJS
	Prepare exhibits for the Brief with respect to prejudgment interest; prepare Brief for electronic filing; electronic filing of same with the federal court.	0.50	77.50	RJS
Jun-08-07	Phone conference with Teresa at Sunbelt Rehab regarding the Court's final order; review Sunbelt Rehab's records.	0.20	31.00	RJS
	Phone conference with Kareem Vance regarding the status of the Court's final order and the overall status of the case.	0.20	31.00	RJS
	Begin preparation time on the attorney's fees petition; review case law with respect to prevailing party status; review attorney's fees invoices for accuracy in accounting for fees.	3.60	558.00	RJS
Jun-11-07	Preparation time on Sur-Reply to the Defendant's Objections to Exhibit Forty One.	2.20	341.00	RJS
	Continue preparation on the Plaintiff's Attorney's Fees Petition.	2.80	434.00	RJS

Jun-13-07	Re: preparation time on Plaintiffs Motion for attorney fees and costs.	0.50	85.00	TCL
	Complete editing of attorney's fees petition; review case citations with law clerk with respect to 3rd Circuit, Supreme Court and Ohio case law concerning attorneys fees, editing of same.	2.50	387.50	RJS
	Preparation time on the Plaintiff's Sur-Reply to the Defendant's Brief with respect to prejudgment interest; preparation of same for electronic filing; electronic filing of same with federal court.	1.00	155.00	RJS
	Preparation time on Attorney's Fees Petition proposed order; preparation time on Order, Petition and Sur-Reply for electronic filing; prepare list and review of exhibits for the Petition; revise spreadsheet for attorneys' fees; electronic filing of same with federal court.	1.20	186.00	RJS
	Prepare the sur-Reply to the Defendants' Objections to Exhibit Forty One for electronic filing; electronic filing of same with federal court.	0.30	46.50	RJS
	Preparation of exhibits to accompany Petition for Award of Attorney's Fees for electronic filing	1.20	90.00	LC
Jun-15-07	Research the CPT codes used for Sunbelt Rehabilitation; complete the Plaintiff's reply to the Objections filed to Exhibit Forty One; editing of same.	0.60	93.00	RJS
	Preparation of exhibits to accompany Petition for Award of Attorney's Fees to be sent to Attorney Seymour and client	1.40	105.00	LC
Jun-18-07	Preparation of Plaintiff's Reply to Defendant's Objections to Plaintiff's Exhibit41.	0.30	51.00	TCL
Jun-21-07	Phone conference with Carolyn Shiver regarding the Defendant's Objections to Exhibit Forty One; discussion of anticipated conclusion of case.	0.30	46.50	RJS
	Preparation time on Amended Petition for Attorney's Fees and Costs; review previous petition for preparation of same.	1.00	155.00	RJS



Invoice #:				
Jun-25-07	Electronic filing of the Amended Petition for Attorneys' Fees and Costs with the federal court docketing system.	0.20	31.00	RJS
Jun-27-07	Review Defendant's Response to Plaintiff's Petition for Attorney's Fees and Costs.	0.30	51.00	TCL
	Phone conference with a representative from Open MRI regarding the status of the case.	0.20	31.00	RJS
Jun-28-07	Phone conference with Carolyn Shiver regarding the Attorney's Fees Petition and regarding the final information required for the court.	0.20	31.00	RJS
Jul-02-07	Phone conference with Jeff Guerriero regarding his client's unpaid bills; phone conference with Carolyn Shiver regarding same.	0.40	62.00	RJS
	Review material sent by the NIFL with respect to Louisiana Physical Therapy.	0.30	46.50	RJS
Jul-05-07	Preparation of correspondence to Attorney Seymour and Judge McVerry, including review of correspondence from the NIFL regarding Louisiana Physical Therapy Centers.	0.30	51.00	TCL
Jul-06-07	Phone conference with Kareem Vance regarding the Court's timetable in deciding the award to the Plaintiff.	0.20	31.00	RJS
Jul-09-07	Preparation of correspondence to Attorney Stubson regarding Casper, WY team's medical bills to Gem City Bone & Joint.	0.40	68.00	TCL
	Review all prior correspondence with Gem City Bone and Joint; review timetable of Court's Orders concerning use of Certifications and HCFA forms; preparation time on detailed letter to the Cavalry's counsel with respect to Gem City's failure to cooperate and the Court's Orders governing the admission of medical records.	1.50	232.50	RJS
	Review of file for December 5, 2005 letter to Gem City Bone and Joint regarding request for medical records and certificate of record custodian for Attorney Sedlak's preparation of letter to Attorney Stubson; preparation of documents to be FAXed to Judge McVerry	0.40	30.00	LC



which he did not receive with July 3, 2007  
correspondence to himself and Attorney  
Seymour

Jul-11-07	Complete editing of letter to the Calvary's counsel regarding Gem City; placement of same in final form.	0.30	46.50	RJS
Jul-18-07	Phone conference with Tony Palazzo regarding the Court's decision in the NIFL case.	0.20	31.00	RJS
	Phone conference with Carolyn Shiver regarding the Wyoming Cavalry and Gem City Bone and Joint.	0.40	62.00	RJS
Jul-26-07	Phone conference with Dean Brown regarding the Court's issuance of an order concerning the NIFL's damages.	0.20	31.00	RJS
	Totals	293.60	\$38,201.00	

DISBURSEMENTS

Mar-02-07	Mileage - Meeting in Pittsburgh 150 @ 0.485	72.75	
	Parking - Seymore meeting	9.00	
	Parking - Meeting with Judge	13.00	
Apr-20-07	West Law Research	88.61	
May-14-07	Mileage 150 @ \$0.485	72.75	
	Parking	12.00	
May-16-07	Tabs Plus Inc	151.47	
May-17-07	West Law Research	47.51	
May-18-07	Christian Book Store - Binders for Trial	100.60	
May-20-07	Mileage - 150 miles @ \$ .485	72.75	
	Turnpike Toll	3.25	
May-24-07	The Westin Convention Center Pittsburgh - Hotel for Trial	882.24	
	Mileage - 150 miles @ \$0 .485	72.75	
	Turnpike Toll	3.25	
May-31-07	Copies 40071 @ 0.05	2,003.55	
Jun-15-07	West Law Research - May 2007	22.13	
Jun-30-07	Westlaw Research	26.51	
	Totals	\$3,654.12	
	<b>Total Fee &amp; Disbursements</b>	<b>\$41,855.12</b>	
	Previous Balance	51,074.98	

**Balance Now Due**

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**\$92,930.10**

***Leventry, Haschak, & Rodkey, LLC***

Attorneys At Law

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National Indoor Football League  
600 Loire Avenue  
Lafayette, LA  
70507

September 18, 2007

**Attention:** Carolyn Shiver

File #: 01-214-01

Inv #: Sample

**RE:** Invoice/Retainer

DATE	DESCRIPTION	HOURS	AMOUNT	LAWYER
Aug-21-07	Review email from Judge McVerry's law clerk requesting information on seven items.	0.20	31.00	RJS
Aug-23-07	Review documents and spreadsheets to respond to the the Court's questions; preparation time on response to the Court; preparation time on exhibits to be sent and complete email regarding same.	2.20	341.00	RJS
Aug-24-07	Preparation of response to Barbara Campbell, law clerk, questions regarding issues for final Order.	0.40	68.00	TCL
Aug-27-07	Phone conference with Faye Butler at Bienville Orthopedic regarding the judge's order.	0.20	31.00	RJS
Sep-01-07	Phone conference with Carolyn Shiver (8/27/07) regarding the correspondence with the Judge's law clerk concerning additional information requested.	0.20	31.00	RJS
Sep-04-07	Review Court's Order with respect to Attorney's Fees; research award of attorney's fees under Ohio and PA law.	1.00	155.00	RJS
	Preparation of court documents in .pdf format for electronic transmission to client	0.40	30.00	LC
Sep-05-07	Begin assembly of information to comply with	2.00	310.00	RJS

the Court's September 4th Order; email correspondence with Attorney Markovitz's office regarding the fees charged by their firm.

	Phone conference with Kareem Vance to explain the judgment obtained by the NIFL.	0.20	31.00	RJS
Sep-13-07	Phone conference with Attorney Podheiser with Burns, White & Hickton regarding their entry of appearance in the case.	0.20	34.00	TCL
Sep-14-07	Correspondence with Kareem Vance regarding the Defendant's appeal rights and the expectation of payment for the NIFL's judgment.	0.20	31.00	RJS
	Review of invoices relative to 2006 and 2005 regarding expenses, UPS costs, etc.	4.20	315.00	LC
Sep-15-07	Begin preparation of Affidavit with respect to the Attorney's Fees Petition.	2.90	449.50	RJS
Sep-16-07	Complete preparation of Affidavit for the Attorneys' Fees Petition; citation of relevant Ohio cases; review calculations of updated fees, costs and hourly bills.	2.40	372.00	RJS
	Totals	16.70	<u>\$2,229.50</u>	

#### DISBURSEMENTS

May-24-07	The Westin Convention Center Pittsburgh - Additional Westin Parking charges - Trial	22.00
	Totals	<u>\$22.00</u>

<b>Total Fee &amp; Disbursements</b>	<b>\$2,251.50</b>
Previous Balance	92,930.10
<b>Balance Now Due</b>	<b><u>\$95,181.60</u></b>